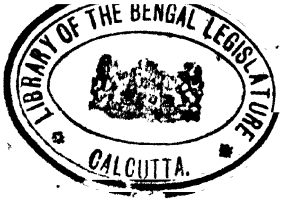
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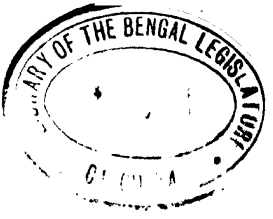


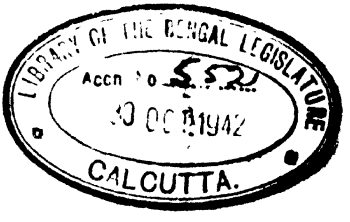
Assembly Proceedings

Official Report

Bengal Legislative Assembly

Thirteenth Session, 1942

The 9th, 10th, 11th, 12th, 13th and 14th March, 1942



Superintendent, Government Printing
Bengal Government Press, Alipore, Bengal
1942

GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency Sir JOHN ARTHUR HERBERT, G.C.I.E.

MEMBERS OF THE COUNCIL OF MINISTERS.

(1) The Hon'ble Mr. ABUL KASEM FAZLUL HUQ, in charge of the Home and Publicity Departments.

(2) The Hon'ble Dr. SYAMAPRASAD MOOKERJEE, in charge of the Finance Department.

(3) The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca, in charge of the Agriculture and Industries Department.

(4) The Hon'ble Mr. SANTOSH KUMAR BASU, in charge of the Public Health and Local Self-Government Department.

(5) The Hon'ble Khan Bahadur M. ABDUL KARIM, in charge of the Education and Commerce and Labour Departments.

(6) The Hon'ble Mr. PRAMATHA NATH BANERJEE, in charge of the Revenue and Judicial and Legislative Departments.

(7) The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN, in charge of the Co-operative Credit and Rural Indebtedness Department.

(8) The Hon'ble Mr. SHAMSUDDIN AHMED, in charge of the Communications and Works Department.

(9) The Hon'ble Mr. UPENDRA NATH BARMAN, in charge of the Forest and Excise Department.

GOVERNMENT OF BENGAL.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE ASSEMBLY.

SPEAKER.

The Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur.

DEPUTY SPEAKER.

SYED JALALUDDIN HASHEMY, Esq.

SECRETARY.

K. ALI AFZAL, Esq., Barrister-at-Law.

FIRST ASSISTANT SECRETARY.

Khan Sahib QUAZI MUHAMMAD SADRUL OLA.

SECOND ASSISTANT SECRETARY.

A. B. CHATERJI, Esq.

REGISTRAR.

MANZURA QUADERI, Esq.

THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

Official Report of the Thirteenth Session.

Volume LXII—No. 2.

'roceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 9th March, 1942, at 8-30 a.m.

Present:

Mr. Speaker (the Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur) in the Chair, 9 Hon'ble Ministers and 199 members.

STARRED QUESTIONS

(to which oral answers were given)

Leave to security prisoner Sreejut Deb Kumar Ghosh.

*99. **Mr. PRATUL CHANDRA GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether on receipt of the telegraphic news of the illness of his mother, security prisoner Sreejut Deb Kumar Ghosh, at present detained in Hijli Special Jail, has applied to the Government for leave to go home?

(*b*) If so, whether the leave has been granted to him?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) Yes.

(*b*) No.

(c) I had an inquiry instituted and have been informed that the present condition of the prisoner's mother is not such as to warrant the grant of any leave to him. I am also informed that the prisoner abused his privilege on a previous occasion.

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to explain how he abused his privilege on a previous occasion?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am informed that he got into communication with persons against whom communication was restricted.

Persons dealt with under Defence of India Rules in Bengal.

***100. Mr. PRATUL CHANDRA CANGULY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) the number of persons dealt with under the Defence of India Rules in Bengal up till now as—

(1) security prisoners,

(2) interned,

(3) externed, and

(4) persons whose movements have been restricted in other ways; and

(*ii*) whether the Government is considering the desirability of releasing the aforesaid persons?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) The information desired in the form by the honourable member is not available. By the middle of January, 1942, however, the figures were, for individuals dealt with for "political" or anti-war activities—

(1) 273.

(2) to (4) 2,011.

(*ii*) No.

(*b*) Their release is not considered expedient in the public interest.

Mr. ATUL CHANDRA SEN: With reference to answer (*b*), will the Hon'ble Minister be pleased to state whether he is considering the desirability of setting up a competent Tribunal to consider if their release is not really expedient in the public interest?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, Sir. That question is being considered.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় মন্ত্রী-মহোদয় অনুগ্রহ করে বলবেন কি, যে সমস্ত Security Prisoners রয়েছেন, ২৭৩ জন বন্দীর মধ্যে—কতজন ভারতগভর্ণমেণ্টের আদেশে বন্দী হয়েছেন এবং কতজন বাঙ্গলা গভর্ণমেণ্টের আদেশে বন্দী হয়েছেন ?

The Hon'ble Mr. A. K. FAZLUL HUQ: That information is not available, but I take it as a notice and I will answer it later on.

Ban on Muslim League Meetings within Noakhali District.

***101. Mr. M. A. H. ISPAHANI:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that all meetings of the Muslim League which were due to be held at Lakshimpur, Sonaimuri, Sandwip and Habiganj in the district of Noakhali were prohibited by the District Magistrate?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons therefor?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) The reasons are given in the District Magistrate's letter, a copy of which is laid on the Library Table.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to explain how the speeches directed against the personnel of the Ministry were considered objectionable under the Defence of India Rules?

The Hon'ble Mr. A. K. FAZLUL HUQ: It was considered by the District Magistrate in his judgment. I cannot say anything further.

Khan Bahadur MOHAMMED ALI: Does the Government agree to that view of the District Magistrate?

Mr. SPEAKER: That question does not arise.

Khan Bahadur MOHAMMED ALI: Why not?

Mr. SPEAKER: After all that is your opinion.

Khan Bahadur MOHAMMED ALI: That may be the wrong interpretation of the District Magistrate. That is why I wanted to enquire from Government whether they agreed with the view that the speeches directed against the personnel of the Ministry come within the mischief of the Defence of India Rules. Can I put a question like that?

Mr. SPEAKER: You cannot ask for the opinion of Government; you can ask for information. You will see that under the rules opinion is not permissible.

Khan Sahib HAMIDUDDIN AHMAD: Our question is whether Government agreed to the judgment of the District Magistrate.

Mr. SPEAKER: Is it in the past tense? If it is in the past tense then it is admissible, but if it is in the future, it is not admissible.

Khan Sahib HAMIDUDDIN AHMAD: Yes, it is in the past tense.

The Hon'ble Mr. A. K. FAZLUL HUQ: We had no reason to consider that question at all. The order was passed by the Magistrate on his own responsibility and we received no representation to consider that matter.

Khan Sahib HAMIDUDDIN AHMAD: Sir, is that the answer to my question? My question was whether Government agreed to the judgment of the District Magistrate?

Mr. SPEAKER: He has said that no such question arose.

Khan Bahadur MOHAMMED ALI: Does the Hon'ble Minister consider the desirability of making this point clear and issue a circular to all the District Magistrates that if speeches are delivered against the personnel of the Ministry in a constitutional manner, they should not come under the mischief of the Defence of India Rules?

The Hon'ble Mr. A. K. FAZLUL HUQ: Government does not consider it necessary, because the District Magistrates can be trusted to exercise their discretional judgment properly.

Khan Bahadur MOHAMMED ALI: In this case, Sir, the District Magistrate's view was——

Mr. SPEAKER: That is another matter.

Refusal of District Magistrate of Bogra to grant permission to students to hold meeting.

*102. **Mr. K. NOORUDDIN:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that the District Magistrate refused to grant permission to the Muslim students of Bogra to hold a meeting in the town on the 15th January, 1942?

(*b*) Will the Hon'ble Minister be pleased to state the reasons for the refusal of the permission.

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) There was an apprehension that the meeting would be made the occasion for a breach of the peace. The conveners of the meeting agreed to abandon the proposal upon an understanding with a rival group.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state who are the rival groups and how this agreement was arrived at?

The Hon'ble Mr. A. K. FAZLUL HUQ: I can tell my honourable friend that one of the groups was headed by the honourable member himself——

Khan Bahadur MOHAMMED ALI: That is not a fact.

Mr. SPEAKER: The question whether it is a fact or not does not arise.

Khan Bahadur MOHAMMED ALI: Sir, we have not yet heard the reply of the Hon'ble Minister fully.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am speaking from the report. I have no personal knowledge. The report says that one of the groups was headed by the honourable member himself and the other group was headed by one or two members of an organisation, who are now members of the Progressive Coalition Party.

Khan Bahadur MOHAMMED ALI: That was not the supplementary question put. I want to know what was the understanding and how the question of abandoning the meeting arose. What were the terms of the agreement? Will the Hon'ble Minister be pleased to state what understanding was arrived at?

Maulvi ABU HOSSAIN SARKAR: You know it very well.

The Hon'ble Mr. A. K. FAZLUL HUQ: There is nothing on record to show that, but the report indicates that there was a difference between the two organisations and in some form or other there was an agreement but as to what it was is not disclosed in the report.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister consider the desirability of making an enquiry as to the authenticity or veracity of the report?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not think it necessary to do so. The matter has been settled and I do not want to reopen it.

Khan Bahadur MOHAMMED ALI: But the statement is not correct.

Mr. SPEAKER: I do not think that you can say whether the District Magistrate was right or wrong. You can ask a fresh question if you like.

Home internment of the Secretary, Muslim League, Noakhali.

*103. **Mr. SYED ABDUL MAJID:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that the Secretary, District Muslim League of Noakhali, has been home interned for 3 months by the District Magistrate of Noakhali with effect from the 17th January, 1942?

(*b*) If so, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Will the Hon'ble Minister be pleased to state what was his professional income before his internment?

(*d*) Is the Hon'ble Minister considering the desirability of giving him an allowance during the period of his internment?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) A person so described has been so restricted.

(*b*) For the maintenance of public peace and order.

(*c*) I have no information.

(*d*) A request of this kind has not been received.

Arrest of Muslim League workers in Tippera.

*104. **Mr. K. NOORUDDIN:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that certain Muslim League members were arrested at Paschimgaon (Laksham), Tippera; and

(*ii*) that a number of persons were attacked by the police with *lathis* a mile away from the Laksham station?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the reasons thereof; and

(*ii*) whether he is contemplating taking any steps in the matter?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) and (*b*) (*i*) No such arrest was made by the police at Paschimgaon, police-station Laksham.

Three persons were, however, arrested on the 22nd January, 1942, at Daulatganj, police-station Laksham, for organising and leading an unauthorised procession in violation of the District Magistrate's general prohibitory order under the Defence of India Rule. They were convicted under rule 56(*4*) of the Defence of India Rules and sentenced to imprisonment till the rising of the court on the 31st January, 1942.

(*a*) (*ii*) No.

(*b*) (*ii*) Does not arise.

Introduction of compulsory primary education in Rajshahi.

***105. Maulvi M. MOSLEM ALI MOLLAH:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state in how many districts of Bengal compulsory primary education scheme has since been introduced?

(*b*) Do the Government contemplate the introduction of the said scheme in the district of Rajshahi in near future?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state when it is likely to be introduced in that district?

MINISTER in charge of the EDUCATION and COMMERCE and LABOUR DEPARTMENTS (the Hon'ble Khan Bahadur M. Abdul Karim): (*a*) None.

(*b*) No.

(*c*) Does not arise.

Imposition of education cess in Sundarban Estates, 24-Parganas.

***106. Babu NAGENDRA NATH SEN:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware of the imposition of the education cess in the Sundarban Estates of the district of 24-Parganas?

(*b*) If so, will he be pleased to state—

(*i*) the amounts of cess realised from the said area during the last official year; and

(*ii*) the sum spent for the development of education therein?

(*c*) Is the Hon'ble Minister considering the desirability of taking necessary steps for spending the full amount of cesses realised for the education of the people of the said area?

The Hon'ble Khan Bahadur M. ABDUL KARIM: The member is referred to the reply given to starred question No. 87 on the 25th February, 1942.

Relief to flood-stricken people of Sabang thana, Midnapore.

***107. Mr. DEBENDRA LAL KHAN:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware that the last flood, in October, 1941, in the river Kele Ghai has caused damages to about 64 villages within thana Sabang in the district of Midnapore?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, have been taken by the Government to alleviate the distress of the people of the said area?

(*c*) Do the Government contemplate granting gratuitous relief to the said flood-stricken people?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) About 55 villages were affected by the flood. No extensive damage was reported to have been caused except in a few villages.

(*b*) and (*c*) The following amounts have been distributed for the relief of the people of the affected area:—

		Rs.
Gratuitous relief	...	2,000
House building grant	...	1,000
Agricultural loan	...	15,000

Distress in Tippera.

***108. Mr. SHAHED ALI:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware that an acute distress is prevailing in some portions of the district of Tippera, due to the destruction of jute, *aus* and *Poush* paddy crops?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what relief, if any, has been given by the Government in the shape of—

(1) agricultural loan,

(2) gratuitous relief, and

(3) test relief measure

(the amount to be shown separately in each Union under each head)?

(*c*) Will the Hon'ble Minister be pleased to state how many deaths have been reported by the chaukidars in the Natherpetua Union, police-station Laksham, district Tippera, as due to starvation?

(*d*) Is it a fact that Ulfaternessa, daughter of Rajjabali, of the village Sakchail, police-station Laksham, Sadar subdivision, district Tippera, died on the 17th Kartick, 1348, of starvation, and Rahimjan Bibi, wife of Asrabali, of village Bhainaghar, police-station Laksham, district Tippera, died of starvation in Aswin, 1348?

(*e*) Has the Hon'ble Minister received any report from any member of the Bengal Legislative Assembly—

(*i*) about the requirements of the people of the affected localities; and

(*ii*) about the deaths of many persons due to starvation or due to diseases arising out of starvation?

(*f*) If the answer to clause (*e*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any enquiry has been made into the matter?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (*a*) There was some distress.

(*b*) Agricultural loan—Rs.7,05,119.

Gratuitous relief—Rs.82,041-3-9 and Rs.1,16,351-11-9 (Paddy husking).

Test relief—Rs.24,961-6-9.

The amount given, Union by Union, is shown in a statement laid on the Library Table.

(*c*) None.

(*d*) No.

(*e*) Yes.

(*f*) Yes. On enquiry by Relief Officers it transpired that there was no death due to starvation.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to tell us when the enquiry was made whether the member who reported about the death due to starvation was allowed to be present?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have no information on that point.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state what is the basis of his answer to question (*c*)?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: The basis of the answer is the report of the local officials. I have got the report here.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state whether it is a fact that Rajjabali made a definite statement to the member who inspected the locality that the death was due to starvation and that the chaukidar and the members of the Union Board also subscribed to that statement?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have not got that document with me.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to accept the statement if it is handed over to him now?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Yes, most certainly. I shall be very glad to hold a further enquiry if I am given an opportunity.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় মন্ত্রী মহোদয়, (*f*) প্রশ্নের দ্বিতীয় অধ্যায়ের কোন রকম উত্তর দেন নি। তার মধ্যে লেখা আছে দ্বিতীয় দফায়, "On enquiry.....starvation" তিনি খালি দিয়েছেন যে এ রকমে, যা তাঁর report এসেছে, তাতে অনাহারে কেউ মরেনি। কিন্তু অনাহারের দরুণ ব্যারাম হয়ে কেউ মারা গিয়েছে কিনা সে সম্বন্ধে তিনি নীরব আছেন। কাযেই আমি কি এই কথা জিজ্ঞাসা করতে পারি তাঁকে যে তিনি পুনরায় অনুসন্ধান করে দেখবেন যে অনাহারের দরুণ কিম্বা স্বল্পাহারের দরুণ কেউ ব্যাধিগ্রস্থ হয়েছিল কিনা?

Mr. SPEAKER: I am sorry, that question does not arise. I do not think that anybody can answer whether the death was due to any disease arising out of starvation.

Babu NARENDRA NARAYAN CHAKRABARTY: Sir, অন্ততঃ প্রশ্নটা গৃহীত হয়েছে ; কাজেই তার উত্তরটা আশা করা যেতে পারে। তাহলে এটার একটি উত্তর দেওয়া হোক্ Sir, (Laughter) তাহলেই আমি সন্তুষ্ট।

Non-agricultural Tenancy Bill.

***109. Maulvi MUHAMMAD ISRAIL:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the Government contemplate the introduction and passing of a Non-Agricultural Tenancy Bill during the present Budget Session of the Assembly?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of extending the term of the Bengal Non-Agricultural Tenancy (Temporary Provisions) Act, 1940 (Bengal Act IX of 1940)?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (*a*) No.

(*b*) Yes.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to tell us if the Government contemplate the introduction and passing of a Bill during the current session of the Assembly?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Not during the current session, for this reason that there is already a Bill known as the Bengal Non-Agricultural Tenancy (Temporary Provisions) Bill. The Government is extending the life of that Bill with a view to bringing forward a comprehensive Non-Agricultural Tenancy Bill as early as possible.

Introduction of the Bengal Non-Agricultural Tenancy Bill.

***110. Mr. MIRZA ABDUL HAFIZ:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware that the tenants holding Chandina rights (tenants at will) in the towns, markets and municipal areas, etc., are liable to ejectment?

(*b*) If so, do the Government contemplate the introduction and passing of the Non-Agricultural Tenancy Bill at an early date?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (*a*) Yes.

(*b*) Yes; the matter will be taken up as soon as possible.

Printing of voters' lists for Central Legislative Assembly and amount allotted for Mymensingh.

*111. **Mr. GIASUDDIN AHMED:** Will the Hon'ble Minister in charge of the Home (Constitution and Elections) Department be pleased to state—

(*a*) what was the amount allotted to the district of Mymensingh for the purpose of printing the list of voters for the Central Legislative Assembly; and

(*b*) what are the names of the presses which were entrusted with the work of printing such list?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) A lump sum was allotted for expenditure under the head "Elections for Legislatures" in which no separate amount was earmarked for printing the electoral rolls for the Indian Legislative Assembly, the charge for which is also debitable against the same head.

(*b*) 1. Charu Press, Mymensingh.

2. Sen Press, Mymensingh.

3. Udayan Press, Mymensingh.

4. Lily Press, Mymensingh.

5. Milan Press, Mymensingh.

6. District Board Press, Mymensingh.

7. Kamala Press, Mymensingh.

Pay and prospects of inferior Government servants.

*112. **Mr. DHANANJOY ROY:** (*a*) With reference to the reply given to unstarred question No. 28 of the 4th August last, will the Hon'ble Minister in charge of the Finance Department be pleased to state whether the Government has as yet come to any final decision in the matter?

(*b*) If so, what are their decisions?

(*c*) If the answer to clause (*a*) above be in the negative, will the Hon'ble Minister be pleased to state when the Government expect to reach a final settlement in this direction?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Dr. Syamaprasad Mookerjee): (*a*) No.

(*b*) Does not arise.

(c) Government feel that the present disturbed times are not appropriate times in which to consider the revision of the pay scales of menials.

Mr. RASIK LAL BISWAS: Will the Hon'ble Minister be pleased to state whether it is in the contemplation of Government to do anything for ameliorating the lot of these poor paid people?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: Dearness allowance of Re. 1 has been granted and an additional rupee has also been sanctioned in some cases.

Mr. RASIK LAL BISWAS: After these abnormal times have passed away, is it in the contemplation of Government to ameliorate the lot of these people?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: It is difficult for me to predict what will be done after the abnormal times have blown over.

Enforcement of the Bengal Shops and Establishments Act, 1940, in Chittagong.

*113. **Dr. SANAULLAH:** (a) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state when the Bengal Shops and Establishments Act, 1940 (Bengal Act XVI of 1940), would be enforced in the town of Chittagong?

(b) Will the Hon'ble Minister be pleased to state the reasons for the delay in enforcing the Act in the said town?

The Hon'ble Khan Bahadur M. ABDUL KARIM: The Act came into force in Calcutta and its suburbs and the Howrah Municipal area only with effect from the 1st April, 1941. We want to have some experience of the working of a measure of this kind, before it is decided to extend its application to other areas. There is also the question of staff. Already a Chief Inspector and 12 Inspectors with 12 peons have been appointed for the administration of the Act in the Calcutta area. The Act can be extended to other areas by notification and we shall extend it as soon as it is clear that conditions for such extension are suitable.

Mr. ATUL KRISHNA GHOSE: With regard to suitable condition, will the Hon'ble Minister be pleased to state what are those conditions that the Government want to be fulfilled so that the Act may be extended to Chittagong and other areas?

The Hon'ble Khan Bahadur M. ABDUL KARIM: In the present circumstances the conditions are principally financial and also war conditions.

Mr. ATUL KRISHNA GHOSE: Is it a fact that this Act was applied simply to remove the hardship of shop assistants?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Yes, it was so.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister of opinion that the shop assistants in the mofussil areas are not undergoing the same hardship and that the conditions in those localities are different?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: Then I shall put the question in a different way. Will the Hon'ble Minister be pleased to state whether he will consider the desirability of removing the grievances of shop assistants in the mofussil areas who are labouring under the very same difficulties under which the shop assistants in Calcutta were labouring before 1940?

The Hon'ble Khan Bahadur M. ABDUL KARIM: That is very near to our heart.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state what are the reasons to discriminate these two classes of shop assistants, one in Calcutta area and the other in mofussil area?

Mr. SPEAKER: It is provided in the Act.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Internment of certain persons in Noakhali.

56. Mr. FAZLUR RAHMAN (Dacca): (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that five leading Muslims of Noakhali have been home-interned by the orders of the District Magistrate;

(*ii*) that they are members and office-bearers of the Muslim League; and

(*iii*) that one of them is required to report himself to the police-station every Sunday, 14 miles away from his village?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons of such internment?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Orders were issued restricting six Muslims to their homes.

(*ii*) I have no information as to their membership of or office in the Muslim League but it would appear that they are in some way connected therewith.

(*iii*) Such a requirement was imposed but has now been withdrawn.

(*b*) Their restriction was considered by the local officer to be necessary for the maintenance of public order and to prevent the commission of prejudicial acts.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if these internment orders were passed just before the arrival of the Hon'ble Ministers concerned in Noakhali?

The Hon'ble Mr. A. K. FAZLUL HUQ: Some time before.

Khwaja Sir NAZIMUDDIN: Will the Hon'ble Minister be pleased to give us an idea of the nature of the prejudicial acts that were likely to be committed by these persons?

The Hon'ble Mr. A. K. FAZLUL HUQ: As regards Maulvi Mujibar Rahman, he has been asked to show cause against prosecution under the Defence of India Rule 56 for violation of the condition under which he was permitted to take out a procession (shouted slogans in support of the Muslim League leaders) and caused a breach of the peace at the station. He distributed pamphlets attacking the Hon'ble the Chief Minister and throwing aspersions on the Hindu religion, culture and civilisation calculated to wound their feelings. Action is being taken against him for such prejudicial activities under Defence of India Rule 38 read with Rule 34. Not content with this he visited all the places which the Hon'ble the Chief Minister would be visiting and organised hostile demonstrations; he also excited the Muslims by appealing to their communal passions. In the circumstances stated it was necessary to intern him at his village home with restrictions on his activities.

So far as Maulvi Siddiqullah is concerned, he is a clerk and an associate of Maulvi Mujibar Rahman and is an accomplice of the latter in his unlawful activities. Similar action was also taken against him.

So far as Maulvis Wahidullah Chowdhury, Ziauddin Haider, Khaje Ahmed and Sultan Ahmed are concerned, Khaje Ahmed is engaged in subversive activities connected with the Feni Khaksar Bahini. The other three along with him were working together to bring about dislocation in the administration by promulgating class hatred and distributing highly objectionable and inflammatory leaflets, and inciting the students of the Feni College and the Muslim masses against the supporters of the present Ministry and particularly the two M.L.A.'s of Feni. They held secret political meetings inside mosques without permission, in defiance of the District Magistrate's orders under the Defence of India Rules. They were therefore interned in their homes under the Defence of India Rule 26.

Khwaja Sir NAZIMUDDIN: Will the Hon'ble Minister be pleased to state if it is the policy of this Government to use the Defence of India Rules for any demonstration against the present Ministry?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is not the policy of the present Government, but it is the discretion of the District Magistrates which ought to prevail as Sir Nazimuddin ought to know.

Khwaja Sir NAZIMUDDIN: It is absolutely incorrect to say that District Magistrates were given the power of discretion to take action against any recognised or subversive organisation.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether the District Magistrate of Tippera asked the Krishak-Proja people not to hold any meeting in the district with regard to jute and jute affairs and the Ministry during the time of the ex-Home Minister, Sir Nazimuddin, who evaded all responsibility on the plea that it was within the discretion of the District Magistrate concerned?

Mr. SPEAKER: That question does not arise.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state what were the reasons for the enforcement of the order requiring certain persons to report themselves to the police at a distance of 14 miles from their homes and what also were the reasons for the withdrawal of that order?

The Hon'ble Mr. A. K. FAZLUL HUQ: The reason for withdrawal was that a joint representation was made to the District Magistrate that it was inconvenient for them to report to the thana. I may mention that practically all these orders have now been withdrawn.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if he has perused a copy of the leaflet and whether it is in his possession?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have not got any copy.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state whether he has perused it?

Mr. SPEAKER: How can he? He says he has not got it.

Khan Bahadur MOHAMMED ALI: He says he has not got it with him but he has not said that he has not received it.

Mr. SPEAKER: He has said that he has not received a copy.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state whether he has received reports of the speeches that are said to have been made in mosques by Khaje Ahmed?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have not seen the report.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Speaker, Sir, I am labouring under a serious difficulty. If one Minister or two Ministers are supposed to be concerned with something, would those Ministers be justified in calling themselves Government and thus bringing in the provisions of law? I seek your ruling on that point because out of that will arise certain supplementary questions.

Mr. SPEAKER: If it is a controversial matter, I am afraid it is difficult for me to give a ruling, but if it is not a controversial matter you know the answer.

Khwaja Sir NAZIMUDDIN: Is it the policy of the present Ministry that for Muslims to assemble in mosques permission should be sought?

The Hon'ble Mr. A. K. FAZLUL HUQ: No.

Distribution of certain pamphlets.

57. Mr. K. NOORUDDIN: (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that Maulvi Abdul Hakim and Afazuddin Ahmad of Lakshimpur were recently distributing pamphlets relating to the visit of Ministers and that the police snatched them away;

(*ii*) that Maulvi Abdul Hakim of Lakshimpur gave an order to a press to print some pamphlets and that the police took away the original drafts of the pamphlets from the press and warned the printers not to print them; and

(*iii*) that notice has been served on the Islamia Press, Noakhali, by the District Magistrate to show cause why certain handbills were printed by them?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for such actions?

(*c*) Will the Hon'ble Minister be pleased to state whether the Government are contemplating taking steps in the matter?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) and (*ii*) The Superintendent of Police and the District Magistrate are unaware of any such allegation.

(*iii*) No: the Managing Director of the Press has been served with an order to show cause against action in accordance with the law.

(*b*) As regards (*a*) (*i*) and (*ii*), the question does not arise. As regards (*a*) (*iii*), the press appears to be an undeclared press as defined in section 12 (*11*) of the Indian Press (Emergency Powers) Act, 1931.

(*c*) No.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state the nature of the order on the Managing Director of the Press?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have not got the order.

Khan Bahadur MOHAMMED ALI: Was the order in respect of the publication of the handbills referred to in clause (*a*)(*iii*)?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have got nothing further to add to the answer that has been given here.

Average death rate from malaria in 1941.

58. Mr. TARAK NATH MUKERJEA: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to lay on the Table a statement showing for the year 1941—

(*i*) the average death rate per thousand of population from malaria in the different districts of the Province; and

(*ii*) the districts where the death rate from malaria is on the increase?

(*b*) Will the Hon'ble Minister be pleased to state what special steps, if any, have been taken or are proposed to be taken to check the increase in those districts?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*)(*i*) A statement is laid on the Library Table.

(*ii*) and (*b*) The member is requested to refer to the answer given by me to Assembly unstarred question No. 8, dated the 16th February, 1942, during the current session. A supplementary statement showing the special steps which have been taken and are proposed to be taken to check the increase of malaria in the districts mentioned in the statement is also laid on the Library Table.

Extension of service of Inspector of Septic Tank Installations.

59. Mr. K. NOORUDDIN: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) whether the present Inspector of Septic Tank Installations has been granted any extension of service;

(*b*) if so, for what period;

(*c*) whether a certain doctor was proposed for promotion to the post; and

(*d*) if so, the reason why he has not been promoted?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) and (*b*) It is proposed to grant an extension of service for one year to Dr. A. C. Roy Chowdhury, Inspector of Septic Tank Installations, subject to the approval of the Cabinet.

(*c*) and (*d*) It was suggested by my predecessor that a Muslim officer should be selected for training before final appointment but as this may contravene the provisions of the Public Service Commission Regulations and method of recruitment to the post I propose to reconsider the matter.

Notice on certain Muslim League members by the District Magistrate of Noakhali.

60. Mr. ABDULLA-AL MAHMOOD: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that the District Magistrate of Noakhali has served notice upon certain League members of the Noakhali district to show cause as to why they would not be prosecuted?

(*b*) If so, will the Hon'ble Minister be pleased to state—

(*i*) the charges for which the said notice has been served; and

(*ii*) whether he is considering the desirability of having the notices withdrawn?

(*c*) If the answer to (*b*) (*ii*) is in the negative, will the Hon'ble Minister be pleased to state the reason thereof?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) (*i*) Notices to show cause have been issued against the following, some of whom are understood to be connected with the Muslim League—

(1) Maulvi Mojibur Rahman for an offence under Defence of India Rule 56; and

(2) Maulvis Abdul Hakim, Abdul Majid Chaudhuri, Abdul Majid and Abdul Gani for offences under the ordinary criminal law.

(*ii*) and (*c*) I have no intention to interfere in the manner proposed with the administration of the criminal law. The individuals named in (2) above have shown cause and no further action has been taken in respect of this notice in their case.

Short-notice questions.

Khan Bahadur Maulvi FAZLUL QUADIR: Sir, I have got two short-notice questions. I do not know what their fate is.

Mr. SPEAKER: I have no information about those questions.

Internment of Dr. Suresh Chandra Banerjee and Order of Business.

Dr. NALINAKSHA SANYAL: Sir, may I enquire if Government wants to make any statement to-day about the internment of Dr. Suresh Chandra Banerjee? Recently an order has been passed on Dr. Banerjee and we find from that order that it was contrary to the assurance given by the Hon'ble Home Minister in the House. Dr. Banerjee had been

served with an internment order which is temporarily suspended, but, even now if he wants to go to the Hon'ble Minister in charge of Police, he cannot do so. I hope the Hon'ble Minister will be pleased to make a statement to-day. Sir, shall I read out the order?

Mr. SPEAKER: Does the Hon'ble the Chief Minister want to make any statement?

Dr. NALINAKSHA SANYAL: Even now, Sir, he is not a free man——

Mr. SPEAKER: Dr. Sanyal, I refuse to allow any discussion on this matter because you have no right to interfere in the debate when I was asking the Hon'ble Minister if he would make a statement. I do not think it is fair that you should utilise this opportunity to say as to who is free and who is not. What was the justification of your remark when you wanted a statement to be made by the Hon'ble Minister? You may think that the Government is not free to do as it likes, but in that case, you are wasting your time here. You know very well that there cannot be any obstruction to the proceedings of the House during the budget discussion—that is the parliamentary procedure all along. I allowed you, however, as a special case to raise the question of arrest of Dr. Banerjee, but immediately you were given that opportunity you raised the irrelevant question that "even now he is not a free man." You yourself understand that once I give you that latitude you cannot avoid making a side remark like that, and therefore I refuse you the permission to raise it.

Dr. NALINAKSHA SANYAL: Sir, I should like to place the facts before the House——

Mr. SPEAKER: Order please.

Dr. NALINAKSHA SANYAL: Sir, this is a question of privilege of the House. May we get a statement from the Hon'ble Minister?

Mr. SPEAKER: I do not know if he wants to make a statement.

Dr. NALINAKSHA SANYAL: Sir, I have two other questions of privilege to ask. We would like to know what has been the fate of the special motion given notice of regarding the Assembly Department. The second is about the day for non-official resolutions which you promised you would allow during the course of the week. We would like to have a reply on these two points.

Mr. SPEAKER: May I know from the Leader of the Opposition as to the order they want to follow in the matter of discussion regarding the cut motions?

Khwaja Sir NAZIMUDDIN: If you like, we can let you know this afternoon.

Mr. SPEAKER: I am sorry, I have been waiting for the last 10 days. We have asked all parties to let us have their preferences, but as yet I have not got any and surely it is impossible for me to carry on without them.

Dr. NALINAKSHA SANYAL: Sir, so far as this section is concerned, we have already intimated to you and we would like that immediately after "Land Revenue", "Excise" and "Forest" are taken up. We would like you to proceed with "General Administration" on Wednesday and Thursday.

Mr. SPEAKER: Then the order is first "Land Revenue", then "Excise", then "Forest" and after that "General Administration".

Khwaja Sir NAZIMUDDIN: Yes, Sir, we agree to that.

Mr. SPEAKER: That is one point. I would like very much that at least by this afternoon the whole list should be given to the office. You must give our office sufficient time. We want at least three days' time for "General Administration". They are not supermen so that if you give something this afternoon, you cannot expect to take it up to-morrow.

Dr. NALINAKSHA SANYAL: Sir, we will give you to-morrow morning.

Mr. SPEAKER: How many days "General Administration" is likely to take?

Dr. NALINAKSHA SANYAL: Two days.

Mr. SPEAKER: What is going to be taken up day after to-morrow?

Dr. NALINAKSHA SANYAL: "General Administration". It will be taken up on Wednesday and Thursday.

Mr. SPEAKER: Unless we get the motions about "General Administration" to-day, how can you expect the agenda of Wednesday to be fixed up? So, I would suggest that the subjects which are not very much controversial, such as "Registration" and "Irrigation" may be taken up.

Dr. NALINAKSHA SANYAL: "Irrigation" may take a long time. This will come with "Communications". The convention is that we take up "Irrigation" and "Communications", i.e., "Civil Works" together.

Mr. SPEAKER: When you yourself complain that the office is not ready, it is only fair that you should give notice to office in time.

Dr. NALINAKSHA SANYAL: At the same time, may I submit, Sir, that the office should also be fair to the members? Hitherto the practice has been to send for the party whips and decide the whole programme beforehand.

Mr. SPEAKER: We have written to every party.

Dr. NALINAKSHA SANYAL: To send their motions but not to fix up the order of priority and I wrote a definite letter but I have not yet received a reply to it.

Mr. SPEAKER: If we get the motions, it does not matter in what order we take up.

Dr. NALINAKSHA SANYAL: But, Sir, it is the privilege of the Opposition to fix up the order of the motions.

Mr. SPEAKER: Dr. Sanyal, it is difficult to argue with you.

Dr. NALINAKSHA SANYAL: Sir, why this deviation from previous practice?

Mr. SPEAKER: All I say is that so far as we are concerned, if you had given us, say, 7 or 8 days' time, we would have been ready. It does not matter in what order you take up the motions. That has all along been done.

Dr. NALINAKSHA SANYAL: Three days and not 7 or 8 days.

* * *

Mr. SPEAKER: Whatever it is, if you give us three days, we would be ready. This time you did not give us either the list of

motions or the order of priority. As regards the arrangements, I do not think there was any conference, except in the first year, with the leaders of parties in which the order was settled.

Dr. NALINAKSHA SANYAL: Sir, I beg to differ from you. I will give you the dates of these conferences.

Mr. SPEAKER: There was no such conference. It was every time done by the Opposition. Immediately after receiving the Opposition point of view I sent for the Government Whip and asked whether they agreed and they agreed.

Dr. NALINAKSHA SANYAL: Whether you call it a conference or not, on the point of technicality I do not want to question that, but you sent for the different parties and we met in your room and decided the priority.

Mr. SPEAKER: I must say that I would have done it myself, but unfortunately it seems that there is a certain section of opinion which do not want any matter which concerns them to be interfered with in any way. My difficulty is that if I do it, immediately it will be said why it has been done by me.

Dr. NALINAKSHA SANYAL: But you will have done it after consultation.

Mr. SPEAKER: I sent notice to all parties to send me the lists. If they had done so, then I would know the priority. It is always done after that and never before. Excepting your party, I have not got any motions from any other party.

Khwaja Sir NAZIMUDDIN: From our party, Sir, we have sent priority for three subjects and I discussed the matter over the 'phone with the Secretary and he said that it would be all right if we sent the rest on Monday.

Mr. SPEAKER: Sir Nazimuddin, you do not realise what Dr. Sanyal is speaking. Dr. Sanyal is speaking in quite a different vein. He said there was a conference. I said it was not a conference but as soon as the Opposition gave the order of priority, I sent for the different parties.

Dr. NALINAKSHA SANYAL: Sir, I stand corrected. It was not a conference but consultation.

Khan Bahadur MOHAMMED ALI: Sir, have you decided what will be taken up on Wednesday next?

Dr. NALINAKSHA SANYAL: "General Administration."

Mr. SPEAKER: Let us take "Land Revenue" first, second "Excise", third "Forest", fourth "Registration" and fifth "General Administration". How many days will you take for the first four subjects?

Dr. NALINAKSHA SANYAL: Three days.

Mr. SPEAKER: If it is three days, then we want to take up "General Administration" on Thursday.

Dr. NALINAKSHA SANYAL: All right, Sir. But I was wondering whether "Registration" will take one whole day. My suggestion was that "Land Revenue" will take one full day, "Forest" and "Excise" another full day. "Registration" will take half a day.

Mr. SPEAKER: Not even half a day, it may take one-fourth of a day. What will you take up during the rest of the day?

Dr. NALINAKSHA SANYAL: We may take up "Stationery and Stamps". On Thursday and Friday "General Administration" may be taken up.

Mr. SPEAKER: Cut motions have to be given by to-morrow morning. Then the next point I would like to know from Government is the date fixed for non-official business. We can discuss this matter on the 20th.

Dr. NALINAKSHA SANYAL: Sir, if it is taken up on the 20th, it will not be this week. We are very anxious to take up the resolution about the release of Defence of India Act prisoners and detenus and that is the first item of the non-official resolutions. I suggest that it may be taken up sometime this week.

Mr. SPEAKER: I do not mind that, provided it is possible for Government. Can we take it up on the 13th?

The Hon'ble Mr. A. K. FAZLUL HUQ: No, Sir, not on the 13th.

Mr. SPEAKER: I am in rather difficult circumstances. For the last few days there was such terrible overwork for me that I have got fever and still I have to come to-day. In the circumstances I feel

that it would be better if I take a few days' rest. I will come to-morrow, but probably I shall not be able to come after to-morrow and I must ask the House to excuse me for that.

Dr. NALINAKSHA SANYAL: Can we take up this matter to-morrow afternoon?

Mr. SPEAKER: Not to-morrow but any day that suits Government.

Dr. NALINAKSHA SANYAL (after consulting Sir Nazimuddin): Sir, the Leader of the Opposition says that it can be taken up any afternoon that Government find convenient before Saturday next.

Mr. SPEAKER: The Chief Minister says that he will have a discussion with you in this matter.

There is another motion, namely, the Assembly Department Special Motion. These are matters of administration and we have to go into details. On general principle everyone might agree. Dr. Sanyal, you have tabled a cut motion.

Dr. NALINAKSHA SANYAL: Sir, that is entirely a different matter.

Mr. SPEAKER: Yes, that is so.

Dr. NALINAKSHA SANYAL: Sir, my motion relates to making the Assembly Department free from the Home Department and leave the Speaker's Department entirely free to be managed under certain restrictions determined by the House.

Mr. SPEAKER: All I say is that we can take it up this week. It is a motion in which we ought to go to a committee between the Finance Department, the Home Department and our Department and also the members of the Assembly.

Dr. NALINAKSHA SANYAL: That will follow after the House expresses its opinion.

Mr. SPEAKER: I do not think there will be any difficulty on that.

Mr. KIRON SANKAR ROY: The motion should be formally accepted.

Mr. SPEAKER: In any case, I have admitted the motion.

Dr. NALINAKSHA SANYAL: Some day we can take up both the motions. If Government so desire we can have one afternoon and after we finish the special motion we can take up the non-official resolution.

Mr. SPEAKER: I don't mind. That is a matter between you and Government. I have no objection.

Dr. Sanyal, there were certain remarks made by me the other day. I am sorry for the remarks but I feel that probably I was not right.

Dr. NALINAKSHA SANYAL: Thank you, Sir.

DEMAND FOR GRANT.

7—Land Revenue.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: S recommendations of His Excellency the Governor, I beg to a sum of Rs. 36,22,000 be granted for expenditure under the head "7—Land Revenue."

Mr. ABDULLA-AL MAHMOOD: Sir, I beg to move that the demand for Rs. 36,22,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100.

Sir, the members of this House belonging to the different parties and groups are probably aware that five years back when they sought election they gave a pledge to their constituencies and electorates that the iniquitous legislation, that is to say, the Regulation of 1793 should be done away with. (Maulvi ABU HOSSAIN SARKAR: Did the Muslim League give that pledge?) I know, Sir, that Mr. Sarkar will say many things now because the table has turned but we know many things too. I do not blame anybody. At the same time there are many from the Opposition Benches who will speak on this point. Sir, I do not like to go into details, because the other day the Hon'ble Chief Minister himself admitted: "I do not blame the previous Government." So, I do not like to digress from my point in dealing with those occasional interrupting criticisms made by Mr. Sarkar and my friends opposite. (Maulvi ABU HOSSAIN SARKAR: Because you can't.)

Mr. SPEAKER: Half a minute, Mr. Mahmood. I find that in motions Nos. 2 and 3 there are certain things which are common, namely, the Floud Commission and the failure of Government to give effect to the recommendations of the Land Revenue Commission. I think that these two motions can be discussed together.

Mr. ABDULLA-AL MAHMOOD: Do you mean, Sir, that Mr. Maiti will move his motion first and then I should speak?

Mr. SPEAKER: It is absolutely his choice. Both the motions can be taken up together and discussed but put to vote separately later on.

Mr. ABDULLA-AL MAHMOOD: Sir, throughout the whole of Bengal we all know that there is an agitation, even in the interior of the villages, due to the iniquitous Regulation of 1793. This gave birth to the subsequent iniquitous legislations of 1885 and 1928—I mean the Bengal Tenancy Act and its amendment. These legislations curtailed the rights of the cultivators of Bengal to such an extent that if that system had continued any further, I doubt, whether there would have any power in the hands of Government which would have been able to suppress that agitation. The previous Government, realising the seriousness of the situation, passed the Bengal Tenancy Amendment Act of 1937 and appointed a Commission on the 5th November, 1938. We have heard many speeches against that Commission, namely, as to what was the necessity for that Commission. The then Opposition members said that public opinion and the demand of the majority of people in Bengal was that this legislation, i.e., the Permanent Settlement must go.

Now, Sir, this Floud Commission was appointed by Resolution No. 22716L.R., dated the 5th November, 1938, and members of the Floud Commission toured in the various provinces. The Hon'ble Khan Bahadur Hashem Ali was also a member of this Commission and we have found that he was one of the champions of the *raiyats* then, and fought against the regulation and said that this iniquitous legislation must go. This Floud Commission took as much as 2 years to submit their report and they submitted their report in 1940. Then curiously enough a Special Officer, namely, Mr. C. W. Gurner, was appointed to examine the report. (A VOICE: By whom?) Sir, I have already said that I knew that this sort of interruption would be made by the then members of the Opposition Benches as to what the previous Government did. I do not like to go into the details regarding the question except to point out that the other day the Hon'ble Chief Minister himself admitted that he did not like to put any blame upon the previous Government. Therefore they should obey their leader, instead of interrupting me like this.

Mr. Gurner began his examination of the Report of the Floud Commission on the 22nd of April, 1940. Now almost 2 years are going to pass. One April has gone and another April is coming. Let us see how the gallant and prominent advocates of the tenants of Bengal who now occupy the Treasury Benches are going to tackle this problem.

Everybody knows how the cultivators are groaning under heavy debts and the high pressure of *jama* on land. There is some difference of opinion. If my friends opposite had gone through the newspaper reports recently, they would have read the findings of the Federal Court with regard to the regulation of 1793. We say and claim that the landlords of Bengal have no proprietary right over the land cultivated by *raiyats*. In some districts it is well known that the intermediary zemindars number as many as 36 or 37. We are of opinion that the land must be directly owned by the cultivators under the State. What do we find to-day? Why is there panic amongst people having vested interests? As the Hon'ble Finance Minister in his addendum of the Budget Speech said what was it that brought Russia and the British Government together though they had contrary views and principles of social order and administration? We claim that these landlords have got no right in these lands except to get some share of the produce. Now what is the history behind this regulation of 1793? From the Hindu period down to the Moghul period it has been seen and it has been established by eminent Justices of the High Court that the land belongs to the cultivators, but what actually happens? These zemindars, taking advantage of the illiteracy and ignorance of the people, enhanced the rents more than 160 times than what they got under the Permanent Settlement.

I shall just read out a passage from Mr. Sarada Charan Mitter's introduction to "Tagore Lectures on Land Laws of Bengal," pages 7, 24 and 30:—

"He (the king) was entitled to a share of the usufruct of the lands in the occupation of his subjects not because he was the owner, but because a share was payable to him as the price for the protection afforded to life, liberty and property" (page 7). ....."The imposition of Kheraj (during Muslim time) did not deny the existence of property in land and take away the proprietorship of the cultivator. His right was alienable and the lands cultivated continued to be the property of the inhabitants who might lawfully sell or otherwise dispose of them" (page 24) ....."The English in India started with the assumption that 'all the soil belonged in absolute property to the sovereign, and that all private property in land existed by his sufferance. The existence of private property in land which is the fundamental doctrine of Hindu jurisprudence and which as we have seen even the Muhammadan Government in India did not put out of sight, was entirely ignored. With this idea the Government in 1793 transferred in perpetuity a vast and unmeasured quantity of land to a class of men who were and are known as zemindars, and property in soil was formally declared to be vested in them" (page 30).

Sir, I can go on quoting from the pronouncements of the Hon'ble Judges of High Courts of different provinces, but I do not think that

it is necessary to multiply instances like this in order to convince the members opposite. The cultivators, everybody knows, are in a helpless condition. What do they want? They want wealth; they want health and they want education. For providing all these things, everybody knows what is necessary. I think that a sum of Rs. 288 lakhs is paid by the zemindars towards revenue. But how much do they realise? I think more than four or five times the amount they pay, apart from those exactions which were found and made illegal by the Bengal Tenancy (Amendment) Act of 1937. On the assumption that the zemindars have a proprietary right to land, they went on enhancing rents. The Bengal Tenancy Act was amended. The Act of 1885 gave these landlords the power to increase the rent and the amended Act of 1928 gave the zemindars further right to realise 20 per cent. transfer fee. This added to the misery of the people to such an extent that the people were ready to rise in revolt in the country and the superstructure of society itself might have been demolished but for the timely amending legislation that was passed in 1937. I think the members of the House are well aware that the Floud Commission recommended——

(At this stage, the member reached his time-limit.)

Sir, may I have a few minutes more?

Mr. DEPUTY SPEAKER: Only one minute more, within which you should finish your speech.

Mr. ABDULLA-AL MAHMOOD: They recommended that the rights of the intermediaries should be purchased. There was actually a proposal before the Government that an attempt should be made by buying up the rights of landlords who volunteered to sell their properties. It was suggested that Government might bring forward suitable legislation whereby the rights of all landlords could be purchased.

I want to conclude with a word of appeal to my friend opposite, I mean the Hon'ble Khan Bahadur Hashem Ali Khan. Before the previous Government broke up, it was he who took the initiative and placed before the party that the landlords were not entitled to any compensation. However, a resolution was passed by the party that the interests of the landlords be purchased by paying only 5 per cent.

With these words, Sir, I commend my motion to the acceptance of the House.

Mr. NIKUNJA BEHARI MAITI: Sir, I beg to move that the demand of Rs. 36,22,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100.

মাননীয় সভাপতি মহাশয়, লীগ্ পার্টি বর্ত্তমান [illegible] সকল কাযের জন্য দায়ী করেন। আমাদের বক্তব্য হচ্চে এই যে নূতন মন্ত্রী সভা অতি অল্পকাল তাঁদের মন্ত্রীত্ব পেয়েছেন। এর মধ্যে বিশেষ কিছু করবার সুবিধা তাঁদের ঘটেনি। যে কাযগুলি তাঁরা করতে পাবেন এবং যে কায তাঁরা করবার জন্য প্রতিশ্রুতি দিয়েছেন সে কাযগুলির কথা স্মরণ কবিয়ে দেওয়া আমার মনে হয় আমাদের কর্ত্তব্য এবং আমাদেব দলও তাই করবেন। কাযেই আমাদের দলের নেতার অনুমতি নিয়ে আমি বলতে পারি আমাদের দলেব কায হচ্চে এই যে যদি তাঁরা ভাল কায করেন আমরা পূর্ণ ভাবে তাঁদের সমর্থন করবো। এবং তাঁদেব অসুবিধা ঘটে এ রকম কোন কায করবো না, যতক্ষণ না তাঁরা ভুল কায করতে থাকবেন। যদি তাঁরা মন্দ করেন তাহলে অবশ্য তাঁদের বিরুদ্ধে আমরা যাবো, যে রকম আমরা পূর্ব্ব কালে অন্যান্য মন্ত্রীদের বিরুদ্ধে গিয়েছি ম। কাযেই কোন পক্ষ যদি মনে করেন যে আমরা লীগেব সঙ্গে মিশে গিয়েছি তাহলে সেটা ভুল; যদি মনে করেন যে আমরা মন্ত্রীদের সঙ্গে মিশে গিয়েছি তাহলেও ভুল। তবে আমাদের leader যেমন বলেছেন তাদের ওপর আমাদের একটা partiality রয়েছে আমরাও তেমনি বলছি যে আমাদেব একটা partiality রয়েছে। একথা বলেই আমি আমার প্রস্তাব উপস্থাপিত কববো। সেটা হচ্চে এই যে যদিও মিষ্টার ষ্টুয়ার্টের রিপোর্ট ১৯৩৮ সালে বেরিয়েছিল এবং যদিও ফ্লাউড কমিশানের রিপোর্ট প্রায় ২ বছর হ'লো বেরিয়েছে তথাপি যে কেন তাকে কার্য্যে পরিণত হতে দেওয়া হয়নি সে দোষটা বর্ত্তমান মন্ত্রীদের ঘাড়ে সম্পূর্ণ চাপে না, কেন না তাঁরা অতি অল্পকালই এসেছেন, অতি অল্প কালই কার্য্যভার নিয়েছেন। এই কথা বলে ষ্টুয়ার্টেব রিপোর্টে যে সকল বিষয় রয়েছে তন্মধ্যে দুই একটি বিষয় আমি বলতে চাই। তাতে একটা কথা রয়েছে,—

"Under rule 58A, each *tashildar* will report during the crop season, what sort of a crop is being obtained. If it is below eight annas (as there defined) for any particular area (half a square mile should be the minimum considered) the Circle Officer shall verify the state of affairs and if he considers the report correct, he shall move the Collector for remission."

এখন মিষ্টার ষ্টুয়ার্টের রিপোর্টে যে সকল কথা রয়েছে আমি তা সম্পূর্ণ সমর্থন করছি না। কিন্তু যেগুলিতে আমার মনে হয় যে প্রজাদের উপকার হবে, কৃষকদের উপকার হবে আমি সেগুলি মন্ত্রীমণ্ডলীর কাছে উপস্থাপিত করছি। তার মধ্যে এই ডিনিষটা রয়েছে যেটা হচ্ছে খাজনা ছাড় সম্বন্ধে। দেখা গিয়াছে যে কি খাসমহলই হোক কিম্বা জমীদার মহলই হোক্, বন্যা হয়ে যাক কিম্বা হাওা শুকা হয়ে যাক্ কখনও remission বা ছাড় পাওয়া যায় না; যদি বা পাওয়া যায়, অতি অল্প এবং সে অনেক রকম ফ্যাসাদ করে' পাওয়া যায়। অধিকাংশ স্থলেই পাওয়া যায় না। কিন্তু ষ্টুয়ার্ট রিপোর্টে তা রয়েছে। ভারত গভর্ণমেণ্টের রাজস্ব ও কৃষি বিষয়ক ১৯০৫ সালের ২৫শে মার্চ্চের ৩-৯৯-২ সংখ্যক রেজোলিউশনেও রয়েছে যে remission বা ছাড় দিতে পারা যায় এবং ১৯৪০ সালের Bengal Tauzi Manualএও রয়েছে—

"The scale of relief is laid down below for general adoption, which shall be taken as a maximum scale and should not be exceeded except in special cases.

The actual outturn of the year's crops (normal outturn being 100)—degree of relief.

Forty per cent. and less than 50 per cent. of the year's normal crops—25 per cent.

Twenty-five per cent. and less than 40 per cent. of the year's normal crops—50 per cent.

Less than 25 per cent. of the year's normal crops—100 per cent."

যে যেখানেতে ফসল বাষিক গড় ফসলের শতকরা 80 থেকে ৫০ per cent. কম হবে সেখানে চার আনা খাজনা মকুব হবে, যেখানেতে ফসল ২৫ থেকে 80 per cent. কম হবে সেখানে আট আনা খাজনা মকুব হবে এবং যেখানে ২৫ per centএর কম ফসল হবে সেখানে বছরের সমুহ খাজনা ছাড় হবে। কাজেই বিষয়টা Government of India resolutionএ আছে, Bengal Tauzi Manualএও আছে। তার পরে ষ্টুয়ার্ট রিপোর্ট ও ফ্লাউড কমিশন রিপোর্টে রয়েছে। কিন্তু কোন যায়গাতেই Government সে জিনিষটাকে effect দেননি। এটা অত্যন্ত দুঃখের কথা। আমি এখানেতে প্রসঙ্গক্রমে কাঁথী খাসমহলেতে যে গত ১৯৪১ সালে বন্যা হয়েছিল, গত ১৯৪০ সালে বন্যা হয়েছিল এবং তারপরে যে শুকো হয়েছিল তার কথা উথাপন করবো। সেটা হচ্চে যে ১৯৩৯ সালে ধান ভাল হয় নি; ১৯৪০ সালে বন্যা হয়, তাতে সমস্ত ধান একেবারে নষ্ট হয়ে যায়, কোন কোন areaতে কিছু কিছু পরিমাণ হয়। প্রজারা বহু দরখাস্ত করে। খাসমহলে দরখাস্ত হয়েছে, কলেক্টরের নিকটে হয়েছে, রাজস্ব মন্ত্রীমহোদয়ের কাছে বোধ হয় সে দরখাস্ত কিছু কিছু এসেছিল। কিন্তু তিনি কিছুই ছাড় দেননি; যেটা আইনেতে পাওয়ার অধিকার রয়েছে সেটা দেওয়া তাঁর উচিত ছিল। বর্ত্তমান মন্ত্রীমহোদয়ের কাছে আমি এর জবাব চাই না; তবে আমি অনুরোধ করি যে আগেকার মন্ত্রীমহোদয় যা করেছেন তিনি তা না করেন; সেই অনুরোধই আমি তাঁর কাছে করছি।

তারপরে মিঃ ষ্টুয়ার্টের রিপোর্টে রয়েছে যে খাস মহলে এমন অনেক যায়গা আছে যেখানে খাজনার হার অত্যন্ত বেশী। আমি মন্ত্রীমহাশয়কে অধুরোধ করবো সেটা যেন তিনি দেখেন। ফ্লাউড কমিশনের রিপোর্ট সম্বন্ধে আমার বক্তব্য এই যে আমাদের বর্ত্তমান মন্ত্রীমণ্ডলী—মাননীয় সামসুদ্দীন সাহেব এবং হাসেম আলি খান সাহেব এবং আমাদের ভূতপূর্ব্ব কংগ্রেস কর্ম্মী ও নেতা যাঁরা এখন মন্ত্রী হয়েছেন তাঁরা—ফ্লাউড কমিশনের অনেক সুপারিশ পছন্দ করেন। এবং আমাদের প্রধান মন্ত্রীমহোদয়েরও ফ্লাউড কমিশনের রিপোর্ট সম্বন্ধে আমি আশা করি তাঁরও মন্তব্য খবই সে বিষয়ে অনুকূল হবে। জমীদারী যাক বা না যাক, আমি সে প্রস্তাব আনতে চাই না; কারণ সেটা এত বড় সমস্যা যে ঠিক এই যুদ্ধের সময়েতে সে সমস্যার সমাধান হবে কিনা তা আমি বলতে পারি না। জমীদাররা আমাদের উপর আজ যে অত্যাচার করছেন, সে বিষয়ে আমি নিঃসন্দেহ। তাঁরা খাজনাও তাড়াতাড়ি আদায় করতে চান, যেমন আমার মাননীয় বন্ধু তারকনাথ মুখোপাধ্যায় একটি প্রস্তাব এনেছেন, যাতে তাঁরা তাড়াতাড়ি খাজনা আদায় করতে পারেন। তাতে আমার কোন আপত্তি নেই। কিন্তু তাঁরা যে খাজনা রেহাই দেন না, তাঁরা যে

অনবরত খাজনা বাড়াতে থাকেন, এবং তাঁরা যে তিন বছর, চার বছর অন্তর রসিদ না দিয়ে খাজনা বাড়ান, এর পরিবর্ত্তন তাঁরা কখনো করেন নি। জমিদারী আমলে প্রজার যথা সর্ব্ব নাশ হয়েছে, একথা মুক্তকণ্ঠে আমি স্বীকার করবো এবং বলবো কিন্তু তৎসত্বেও বর্ত্তমান সময়েতে জমিদারী প্রথা উঠিয়ে দেওয়া একান্ত কঠিন বলেই মনে হয়। তাহলেও ফ্লাউড কমিশনের অন্যান্য যে সমস্ত সুপারিশ রয়েছে সেগুলি যাতে তাঁরা গ্রহণ করেন সেজন্য আমি অনুরোধ করি। এবং এই সঙ্গে বলতে চাই যে আমি কয়েক বছর পূর্ব্বে দেখিয়েছিলাম যে সুন্দরবনের মধ্যে সাগরদ্বীপের কোন কোন যায়গায় যে অঞ্চলের জমীদারেরা বিনা বেভিনিউতে জমিদারী করেন—সেখানে কোন কোন যায়গায় একরে ১৫৲ টাকা পর্য্যন্ত খাজনা রয়েছে। এ রকম ধরণের জিনিষ চলে যাওয়া উচিত। বঙ্গীয় প্রজাসত্ব আইনের ১১২ ও ৩৮ ধারার সাহায্য পাওয়া সুকঠিন এবং Governmentও তা প্রায়ই প্রয়োগ করেন না। তাঁরা তার প্রয়োগ কেন করেন না? আমি চেষ্টা করেছিলাম যে প্রয়োগ করতে পারা যায় কিনা; কিন্তু তার জন্য এত কাঠ, খড়, আর মালমসলা দরকার হয় যে কোন দিন তা সম্ভব হয় না। যেখানে reduction বা খাজনা কম হতে পারে সেখানে এই ২টী ধারা কোন কায করে না এবং কোন কাযে লাগে না। কাযেই ষ্টুয়ার্ট সেই কথা বলেছেন এবং Floud Commission রিপোর্টেও তাই আছে এবং আমার মনে হয় আমার দক্ষিণের ও বামের বন্ধুগণও অনেকেই সেটা স্বীকার করবেন। কাযেই এ রকম ধরণের যে অসুবিধা—এ অসুবিধা Government অনায়াসেই দূর করতে পারেন।

তারপরে এই সঙ্গে Drainage এবং Irregationএর বিষয়। আমরা আনন্দিত হচ্চি যে আমাদের শ্রদ্ধেয় বন্ধু মান্যবর সামসুদ্দীন সাহেব এর ভার পেয়েছেন, এবং তিনি যদি এই কায করতে পারেন তাহলে আশা করা যায় হয়ত কিছু কায হতে পারে। তারপরে যে সমস্ত যায়গায় এক ফসল হয়েছে তাকে দুই ফসলে, তিন ফসলে করা। এ অনায়াসে করতে পারা যায় যদি গভর্ণমেণ্ট থেকে চেষ্টা করা যায়, এবং স্থানীয় যে সমস্ত প্রতিষ্ঠান রয়েছে তার যদি সাহায্য নেওয়া যায়,—তাকে ধ্বংস করবার চেষ্টা না করে তাকে যদি সাহায্য করা যায় তাহলে এই জিনিষ হয়ত সহজে হতে পারে। তারপরে নানা শিল্পের কথা: ফ্লাউড কমিশনে বলা হয়েছে বিশেষ করে paddy husking শিল্পের কথা। ছোট ছোট শিল্প যেমন চরখা এবং খাদি, একে এঁরা উচচ স্থান দেন কিনা জানিনা, কিন্তু আমি দেখেছি যে যখন অজন্মা হয়, বন্যাতে যখন চারিদিক প্লাবিত হয়ে যায়, যখন paddy husking করবার যায়গাই থাকেনা, তখন কিন্তু চরখা কাটতে পারা যায়, কারণ তাতে কম যায়গাই লাগে কাযেই আমরা দেখছি সত্যিকার যদি কায দিতে হয় তাহলে চরখাই কায দিতে পারে, অন্য কোন শিল্প কায দিতে পারে না। এই রকম ধরণের ছোট ছোট জিনিষের তাঁরা উন্নতি করতে পারেন। অনেকের ২ বছর, তিন বছর, চার বছরের খাজনা বাকী পড়ে রয়েছে; এবং বাকী থাকে এই জন্য যে খাজনার হার অত্যন্ত বেশী; হাজা কিম্বা শুকোতে কখনও খাজনা ছাড় হয় না; জমীদারের কাছে গেলে তিনি বলেন যে সুদটা ছেড়ে দিলাম আর করাতে পারি না। আমার বক্তব্য হচ্চে যে ষ্টুয়ার্ট সুপারিশ গুলি কিছুই করা হয়নি, এবং Floud কমিশনের

জমীদারদের উঠিয়ে দেওয়ার এই যে প্রস্তাব এখনই যদিও সম্ভব হতে পারে না, কিন্তু ছোট ছোট জিনিষগুলি যেগুলি অনায়াসে করা যায়, সেগুলি করলে ভাল হয়।

এই সঙ্গে আর একটি কথা বলে আমার বক্তব্য আমি শেষ করবো। সেটি হচ্চে এই যে Land Revenueর যে Department, দুঃখের বিষয়, অন্য সমস্ত Department, থেকে তা বাইরে। Revenueর সঙ্গে Agricultureএর ওতঃপ্রোতভাবে সম্বন্ধ রয়েছে—Irrigation এবং Drainageএর সঙ্গে এর অত্যন্ত বেশী সম্বন্ধ রয়েছে। যদি এই সমস্ত Department একত্রিত করতে পারা যায়, একই হাতে আনা যায় তাহলে ভাল হয় কিনা সেটা আমি মন্ত্রীমণ্ডলীকে বিবেচনা করতে অনুরোধ করি। Revenue Departmentএর এটাই কেবল কায হবে না যে তাঁরা খাজনা আদায় করবেন, সে খাজনা আদায় করে তাঁরা অপর Departmentএর হাতে দিয়ে দেবেন এবং অপর Department সেটা যথেচ্ছভাবে খরচ করবে, এবং সে খরচের সঙ্গে তার কোন সম্বন্ধ থাকবে না। আমি বর্ত্তমান রাজস্বসচীবকে এবং তাঁর মারফৎ Cabinetকে অনুরোধ করি যে তাঁরা যেভাবে বিভাগগুলি ভাগ করেছেন এভাবে ভাগ করায় কাযের সুবিধা হয়েছে কিনা বিবেচনা করবেন। Revenueর সঙ্গে Irrigationএর Drainageএর কাযের সঙ্গে সংযোগ না থাকলে প্রভূত সুবিধা হয় না। বেভিনিউ কর্ম্মচারীরা বলেন যে তাঁরা helpless; "আমরা কি করবো, পুলবন্দী আমাদের কায করতে দিচ্চে না; পুলবন্দী যদি দ্যায়, জমীদার আমাদের কায করতে দিচ্চে না।" এই যে ভাগ, এই ভাগের ভিতর দিয়ে জটা থেকে গঙ্গাকে আনয়ন করা অসম্ভব। কাযেই এই ভাবে portfolio ভাগের দ্বারা ক্ষতি হচ্চে কিনা তাঁরা বিবেচনা করবেন। আমি এই কথা বলেই আমার বক্তব্য শেষ করছি।

Maulvi ABU HOSSAIN SARKAR: I rise this morning, Mr. Deputy Speaker, to speak in opposition to the cut motion moved by my Muslim League friend Mr. Abdulla-Al Mahmood not because I like the Permanent Settlement and do not want its abolition but because the cut motion by its nature is unnecessary, hollow and hypocritical. I must remind my Muslim League friends who are now figuring or disfiguring—which I do not know—the frontal benches of the Opposition that it was not the business of the Muslim League before to move for abolition of the Permanent Settlement in Bengal, and I must give it as an information to my friend Mr. Abdulla-Al Mahmood, who by chance being elected a member of the present Legislative Assembly jumped into limelight of public life, that the Muslim League never agitated for the abolition of Permanent Settlement in Bengal. It has to be remembered that before the election of 1937 there was a move by the so-called Muslim Leaguers to join with the Krishak Proja Party and to form a party called United Muslim Party and the crucial point on which we differed was the question of Permanent Settlement. The Muslim Leaguers then would not agree to the idea that the Permanent Settlement would be abolished or a movement would be set on foot for abolition of this pernicious system.

For that reason we differed and the Hon'ble Mr. Fazlul Huq then began his countrywide agitation under the banner of Krishak Proja Party and as a result of that movement the Muslim League leader Khwaja Sir Nazimuddin met with his disastrous defeat in the battle of Patuakhali and after that he did not dare to face any rural constituency and had to come to this Legislature by the backdoor of a bye-election from an urban constituency, namely, the North Calcutta constituency. It must also be remembered by the friends of the Muslim League Party that after the election when a Coalition Government was formed with the Krishak Proja Party there was a clause in the agreement that there will be a Committee and not a Commission, of the Legislature to consider about the land tenure of Bengal. After that when the Krishak Proja Party differed and went over to the Opposition, these Muslim Leaguewallas, if I may use a strong term, treacherously set up a Commission disregarding the clause entered into the document of coalition.

We raised objection and as a result of that the then Hon'ble Minister, Mr. Nausher Ali, was sacrificed on the ground that he opposed the appointment of a Commission. After that the Commission finished its labour and the so-called Floud Commission Report was submitted. Its final report was submitted on the 20th March, 1940. After that the conduct of the then Muslim League Government was admirable. It sat tight on the report for a long time without following the usual procedure and course that immediately after a Commission finishes its labour, the Government are to formulate a resolution on the report and give their expression of opinion through that resolution. The so-called Muslim League Government at that time, instead of taking that course as I said, appointed another officer called Mr. Gurner to complicate the situation. Six months passed and after that the gentleman submitted his report. There also the Government sat tight and as late as 1st April, 1941, they tried to have a discussion on the Floud Commission Report. Now, again there was complication. The original Floud Commission Report was published in 8 volumes, but during the whole course of the year Government distributed only two volumes and kept the other six volumes within their pockets. No members received those six volumes. Then again the agenda was that the discussion will take place together with the so-called report submitted by Mr. Gurner. Subsequently the Government withdrew that part of the agenda and tried to have a hoodwinking discussion. We raised objection, and discussion was then dropped. On the 28th August, 1941, the so-called discussion took place. There also the conduct of the Government was to be noted. All the big guns of the Muslim League including Sir Nazimuddin and the then Hon'ble Minister Mr. Suhrawardy did not speak. The Revenue Minister at that time did not give out the minds of the Government. He only gave a summary of the Floud Commission Report and Gurner's report.

Only two members, one Mr. Abdul Majid and the other Mr. Abdul Latif Biswas spoke. In spite of anxious desire they could not move the Government to accept any single resolution on the Land Revenue Commission. This is the history. Looking to the history of the Muslim League, I submit that nowhere in the whole career of the organisation they adopted a resolution asking for the abolition of the Permanent Settlement. Very recently the Muslim League at a provincial conference under the Presidentship of Mr. Jinnah went so far as to adopt a resolution for the abolition of prostitution, but they did not dare or desire to have a resolution for the abolition of this Permanent Settlement from Bengal (Cries of "hear", "hear", from the Coalition Benches, and cries of "Question" from the Opposition Benches). May I ask the mover of this resolution to search all the papers, the proceedings and agenda of the Muslim League in its long career from 1906 and find out any resolution, any motion, or any discussion regarding the Permanent Settlement? Now he comes forward and moves a cut motion to impress upon the public that these Muslim Leaguers are very anxious to abolish the Permanent Settlement. I ask Mr. Abdulla-Al Mahmood to have a special session of the Muslim League and to have a resolution, otherwise I shall call this cut motion as an illegitimate child of his fanciful brain. The parent body does not want it. Only individual single members come to this Legislature and ask this Government to remove this pernicious system. Can anybody believe it and can anybody say that this cut motion is sincere? It is only a hoodwinking motion, I shall say a hoax and nothing else. Did anybody from the Muslim League raise a single finger for removing this pernicious system from Bengal? Now they have come forward and he dares to say that all the parties at the time of election agitated for the removal of the Permanent Settlement and that it was then within their manifesto. Can he find out one bit of paper on behalf of the Muslim League that they agitated for removing this system from Bengal? What was the distinction between the Krishak Proja Party and the Muslim League in the beginning? Was it not on the abolition of the Permanent Settlement and was it not a fact that delay in coming to a conclusion over this matter compelled a man like myself to move a no-confidence motion against Sir Nazimuddin last year? Was there any attempt as a body from the last Ministry to implement this Floud Commission Report? As soon as you go over to the Opposition to gain notoriety and cheap clap, you come forward with this insincere and hollow claim. If you had any good intention why did you sit tight on this Floud Commission Report for the whole three years without bringing anything? Why did you not bring a resolution as soon as this Floud Commission Report was submitted? Why did you not bring forward any comprehensive measure? Why did you only draft a Bill for taking the agricultural income of the country and shelve it? Why did you not draft any legislation or a Bill for the abolition of the Permanent Settlement? It is now time

that you should move your parent body. If the Muslim League gets a resolution of this nature that they do not want this Permanent Settlement and as all other organisations of this country are in favour of its abolition, it will strengthen the hands of this Government to abolish this pernicious system. It must be to the credit of the Congress that only a few years ago in their Jalpaiguri session they have adopted a resolution for the abolition of Permanent Settlement, but the Muslim League did not dare it as yet. Only vilification and the vapouring of a particular brain will not carry the country any further.

Now turning to the Government I give them warning. Of course they have begun only 2½ months before. They might have accepted a resolution by this time, but they have not done this. The time is abnormal. Taking that point of view into consideration, only they should not sit tight I would request them to take up these things immediately. The Government is formed of parties which are mostly revolutionaries. They like to see things which speak of revolution. The system of Permanent Settlement which has outgrown its usefulness must not be allowed to continue in this province. It is the duty of the Government to tackle the problem at once. I again repeat that if they are allowed to sit on the ministerial *gadi*, they must at once solve this problem: otherwise, the country will not be satisfied.

The Hon'ble Chief Minister who is the Leader of the Krishak Proja Party now and who was the Leader of the Krishak Proja Party before the election should consider that he must implement his pledges. The country looks up to him and the Hon'ble Revenue Minister who is an eminent lawyer, just come from the Law College, of which premier institution he was the Principal, and who is supposed to know the ins and outs and implications of this pernicious system. I want him to remember the assurances given by the Hon'ble Chief Minister and I hope that with his legal acumen he will bring forward a piece of legislation which will satisfy the country. The agriculturists of this country form 80 per cent. of the population and their demand must be met first because they are the basic population. If you do not satisfy them, the country will rise in revolution and not to speak of your Ministry, the whole Government will collapse at once.

Maharaja SASHI KANTA ACHARYYA CHOUDHURY, of Muktagacha, Mymensingh: Mr. Deputy Speaker, Sir, the question of giving effect to the recommendations of the Land Revenue Commission is once more before us. We the members of the land-holding community generally have opposed it as we failed to see that these recommendations could be carried out without upsetting the social and economic structure of our province and not because it would merely affect the land-holding community but the tenants would also share the disadvantages that might accrue if given effect to. Sir, all civilized Governments are opposed to any measure of expropriation and

as far as I can understand this measure won't be of an expropriatory nature. The land-holders have nothing much to fear as to the income which they are going to have. The only disadvantage which they will suffer from is that they will lose their prestige and they cannot in future be expected to be as charitable as they have been in the past because they have been shorn of their income and they will also be relieved of the demand made upon them by the public. To my mind, Sir, if a man is worth anything he should rather face the vicissitudes of life than live in a fool's paradise and in a crippled state. On giving the matter further thought, since the order of the day is for changes and since the tenants want a change, I for one will not stand in their way. But it is for them to seriously consider whether they want the change that has been recommended or not.

The abolition of Permanent Settlement and the zemindari system is frought with many consequences and it will be taking a very dangerous risk unless it is justified by a deep consideration of the social, economic and financial aspect of the matter. A mere preponderance of individual opinion either way cannot decide an issue of such a magnitude. According to the majority of members of the Commission, a *raiyatwari* system should be the aim in order that Government as the sole landlord may be in a better position to initiate schemes for (1) consolidation of holdings, (2) restoration of economic holdings, and (3) prevention of transfer of land to non-agriculturists and undertake such other measures as may benefit the tenantry.

The Commission have very rightly observed that the pressure of population on land is the ultimate cause of Bengal's economic troubles and that it is the most difficult problem for which they found it impossible to suggest any remedy. The benefits that would accrue to the tenants would be that instead of having middlemen, who sometimes ward off the direct attack upon them and thereby smooth over their difficulties, they would be face to face with Government as Khas Mahal tenants and liable to enhancement of rents as in other places. The only gain to them to my mind is that they will gain in prestige being direct tenants under Government and not under small landholders but as in this world everything depends on a give-and-take policy they will have to give up for the benefit derived in prestige their pet theory of reduction of rent, etc., and will have to submit to higher assessment of rent as reduction of rent is not only not recommended but a definite hint has been given about enhancement. Under these circumstances, it is for them to say whether they want the execution of the recommendations of the Floud Commission or not.

The Commission do not appear to be very sure of the financial implication of their own proposal. It is for this reason that they have taken care to emphasise that although financial results will have to be carefully considered, they have not supported a scheme of State

acquisition solely on the ground that it may lead to a financial gain. If it resulted in financial gain, that would be an additional advantage but their recommendation that the State should be brought into direct relation with the actual cultivators is the outcome of other more "vital considerations".

State purchase of zemindaries with a view to establish direct relationship with the *raiyats* will inevitably present problems of formidable administrative difficulties. But to my mind they would not be losers financially as they will have a handle which they may employ in obviating their financial deficits and as they will be free from their former obligations and new contracts with tenants will not be unfair.

Sir, again, if there are any places where tenants are being rack-rented, there are provisions under section 112 of the Bengal Tenancy Act by which they can get remedies but to say that the rent or as a matter of fact anything can be scaled down generally would be highly improper and not feasible.

With these few words, I oppose the cut motion.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Deputy Speaker, I have always complained and I complain once again to-day that somebody on behalf of Government should expose the views of the Government of the day on any proposition put before the House. Just to get up and say "I want Rs. 36 lakhs for this, that or the other" and then sit down does not give us an indication of the lines on which the Government proposes to spend that amount.

I would not have spoken to-day, but I cannot allow the speech of the honourable member from Gaibandha to go unchallenged for he has proved himself to be a bad historian and a still worse advocate. By just crossing over from one side of the House to the other he has given up the cause he once held dear. He has given us a history of the Muslim League of which he knows nothing. I challenge him to establish any single fact he placed before the House to-day. Having had something to do with the drafting of the Muslim League manifesto before the general election, when the Krishak Proja Group was a divided family and did not know whom to adopt as its father and whom to adopt as its mother, it was we of the Muslim League that gave them direction and a lead.

Maulvi ABU HOSSAIN SARKAR: So kind of you!

Mr. ABDUR RAHMAN SIDDIQI: Yes, and I invite him to disprove this. If he remembers the history of his party from stage to stage, I think he will easily recall the position of his masters of the Congress persuasion whom he followed as a camp-follower from day to day. In the voting on the Bengal Tenancy Act, he was not ashamed

of creeping into the lobby behind the Muslim League: if ours was a Muslim League Government at all, it was indeed wrong on his part to go into the lobby against the behests of his masters. The only justification which even he in his saner moments will have to admit is that ours was not a Muslim League Government. We never had a Muslim League Government in Bengal. The previous Government was a Muslim League-Coalition Government. We take credit for having done that which the then Opposition feared to do. The justification of what I am saying is to be found in the fact that it was a representative of the land-owning classes and a member of the Coalition Party who appointed the Commission to unsettle the Permanent Settlement. Sir Bijoy Prasad Singh Roy showed tremendous courage in doing that and almost risked his public life on a proposition about which the most astounding fact to-day is that the honourable member from Gaibandha is opposing a cut motion on a subject which has been, according to him, his life's proposition.

Maulvi ABU HOSSAIN SARKAR: Because it is bogus.

Mr. ABDUR RAHMAN SIDDIQI: In justifying his somersault he has referred to the resolution against prostitution passed in Serajganj. What is wrong with that? I hope he does not hold views different to those expressed in the resolution. Prostitution of politics, prostitution of ideals and prostitution of one's faith is as unworthy and degrading as prostitution in any other form.

He has asked a categorical question as to what is the difference between the Krishak Proja Party and the Muslim League. I will not go into the history of that, but I may just tell him, and he will understand me better because he is a Muslim, that the Muslim League is an organisation of *muslimeen* while the organisation to which he now belongs may be termed as an organisation of *munafiqeen*. I hope he understands the meaning of the word *munafiq*.

Maulvi ABU HOSSAIN SARKAR: But it is your monopoly to be a *munafiq*.

Mr. ABDUR RAHMAN SIDDIQI: Such hypocrisy and such debates will not lead us anywhere. The Muslim League from the first day declared from the house-top that it was going to unsettle the Permanent Settlement. There were many difficulties in our way but the Government came out courageously and boldly. In spite of continuous obstruction from the Opposition we never faltered in our ambition to achieve this goal during the last four years. It is an irony of fate that the honourable member from Gaibandha calls our efforts bogus. I hope in his new family and under his new affiliations he will do better. The Muslim League speaking in the name of the 90

per cent. agriculturists of Bengal, who are Muslim, wants the Permanent Settlement to go. We do not care who gives the final kick so long as there are men to give the kick.

Coming to the actual subject matter of Permanent Settlement there was a small sentence in a telegram published in the newspapers the other day in which it was stated that the Hon'ble Minister had gone to Delhi to do many things among which he was also to discuss with the Central Government or his opposite number in Delhi the question of the Land Revenue Commission and the implication of its recommendations. I would request him to take the House into his confidence and tell us where we stand because so far as I know the Government of India had not been approached on this problem till now. What did the Member in charge of the Department concerned in the Central Cabinet say is something this House would like to know. Instead of the honourable member from Gaibandha questioning the *bonâ fides* o' others I would ask him to address his remarks to his present masters. I know that he and his Proja Group have nothing original to offer and no special contribution to make to the problem before us. I hope we shall not be told that the talks in Delhi were confidential, that they are a State secret. Let us have everything on the floor of the House. I can assure the Hon'ble Minister on behalf of this section of the House that any step he takes to implement the recommendations of the Land Revenue Commission will have the support of the Muslim League Party in the House now and right up to the very end. He may find his own followers sometimes doubtful and sometimes shaky in their opinions but so far as we are concerned, we are out to undo the Permanent Settlement as we have said repeatedly and he can rely on our support more definitely than upon the support of those who are now looking in a direction different to what they did when they sat in the Opposition.

Mr. SASANKA SEKHAR SANYAL: Mr. Deputy Speaker, Sir, it is always very pleasant and interesting to hear the sweet and hollow words of Mr Abdur Rahman Siddiqi. I find he is going away, but the House will excuse me if I say that his words are sweet because they are always hollow. Sir, my learned friend who is now trying to emulate the role of the Opposition probably was not very much aware of the position to which he was leading himself while speaking on the subject of prostitution. I entirely agree with him that prostitution in politics is one of the vilest vices and I will hold a mirror up to him so that he can see his own face in the mirror and he will then see that the party which he has the honour of representing to-day, having flirted for more than four years with the resources of Government, is now trying to flirt this House with the idea of casting all blame upon the new Government from the Opposition Benches. Sir,

it is a very interesting and sad spectacle that the Muslim League Party in Opposition is trying to deliver scriptures which he have left on the Opposition Benches——

Mr. SYED ABDUL MAJID: You have changed your colours!

Mr. SASANKA SEKHAR SANYAL: The colours we have have not changed: the colours which were changeable are the colours which have changed.

During the last four years the Muslim League Party had a whip-hold upon the resources of Government even if it was a Coalition Government. What did my friends of that party do all these years? Sir, it is paraded by my friend, Mr. Abdur Rahman Siddiqi, that good things were done during the previous regime: it is paraded that certain things were taken up by the previous regime, and that Sir Bijoy Prasad Singh Roy had to do things which were progressive. Conceding for the time being that the previous Government had to take up things having progressive ideas, we claim, Sir, that whatever was done or proposed to be done was not done in the interest of the masses because of the multi-coloured Coalition Party of the past but in spite of that Government and the reason is that in that Government there were certain remnants left of the progressive Krishak Proja Party. It was done because in the Coalition Party there were persons headed by the Muslim mass leader Mr. Fazlul Huq. Things were even attempted because in spite of the stranglehold of those reactionaries in the previous regime there were at least certain factors in that multi-coloured Coalition Party which tried to do the real business by the people. There was on the one hand certain progressive factors in the Coalition Party but the most material factor was that the Opposition was constituted of the Congress and the Krishak Proja Party and the Government, in spite of its better wisdom, had to be driven into alleys of progressive measures because the Opposition was a real Opposition not merely professing things but believing and meaning business unlike the Muslim League in Opposition to-day.

Sir, my friend Mr. Abdur Rahman Siddiqi in retorting my friend Mr. Abu Hossain Sarkar tried to profess that the Muslim League stood by a modification of the Permanent Settlement. But, Sir, unfortunately he is not here now. I am reminded of a day when he was speaking from the very place from where I am speaking and on that day he declared in no uncertain terms that as a Muslim Leaguer he believed in distinction between class and class and he believed in the utility of capitalism as such; and if he has not forgotten that speech—if he has he might consult the printed records of the Assembly proceedings—he will have no difficulty in perceiving that what he said on that occasion was against any attempt at abolition or material modification of the Permanent Settlement. Sir, we who belong to the Congress,

we who have been trained in the unquestioned ideas and idealism of the Congress, have no illusion, no delusion, no mistake about what we have got to do in the present Government. During the last four years we have been knocking from outside the Government door; we have been giving them ideas and ideals. Some of them have materialised on account of the wisdom and good sense of the progressive element of the Coalition Party, but we found that the material ideas, the ideas which required immediate implementing, the ideas which required translating into action without any delay, those ideas were pushed through the coalition door but were rejected again through the coalition door. That is why we have decided to come inside the Government, not for any party or personal or individual axe-grinding.

My learned friend Mr. Abdur Rahman Siddiqi has tauntingly referred to the visits of certain Ministers to Delhi for certain purposes. The insinuation is obvious. Well, do my friends of the Muslim League in Opposition forget that during the last four years each and every luminary of the Coalition Party on the plea of some specious business or other moved from one end of the country to the other ostensibly for the benefit of the Government and the province but substantially and unmistakably for filling the private coffers of those luminaries of the Coalition Party? We want to change the tradition of the Government. If we have come into the Government, if we have brought our Ministers into the Cabinet, it is not because we want to give a stunt to the province and to the masses but we have come to the Government because we want to try at least for once to see whether with our ideas and idealism and with the aid of our Ministers we can or cannot at least change the face of the distressed masses of the province. Well, we have our own ideas and programme; we do not require to be instructed by cut motions from the Muslim League in Opposition. They cannot give any new cut motion. I know whatever they are doing, they are copying from the pages of the written proceedings of the Assembly and they are taking loan from our ideas. I assure my friends in the Opposition Muslim League that we do not want any loans from the Muslim League in ideas. We have got our own ideas and we are determined to put them into action. We of the Congress have for the first time in the province expressed ourselves in terms of the abolition of the present land revenue system and we assure our friends the Muslim Leaguers in the Opposition that we are determined carrying into effect at least a part of our desire.

Sir, I know there are difficulties and unfortunately we have got the government at a time when there is not merely a petty and petulant warfare from the Muslim League in the Opposition but when there is a real war at our door, but I assure the Muslim League in the Opposition that we shall not make an excuse of the war situation. In spite of the real difficulties our Ministers will make a bold declaration of the policy; our Ministers will make a declaration in no uncertain terms

that ours is a policy not to perpetuate the rotten land revenue system but ours is a policy which will give a new orientation and which will at least inspire hopes in the minds of our down-trodden masses. (Interruptions from Muslim League Benches.) Sir, I know it is very easy to interrupt by unmeaning laughter. I will not challenge my friends; even challenge is not good enough for them; but I will ask my friends in the Opposition in the Muslim League Party—will they analyse their own conscience, if they have any? Why is it that none of the recommendations of the Floud Commission has been put into action? Is it because we are in the Government for two months or is it not because from 1937 ideas that had been taught and actions that had been suggested were shelved by the party which was responsible for the administration during the last four years? I know that the Opposition will emulate us but the Opposition will not emulate our action. Our Ministers, I am sure, will invite the leaders of all parties for finding out practical ways and means for putting into operation the ideas of the Land Revenue Commission. I am sure that in spite of what has been said by Mr. Abdulla-Al Mahmood, in spite of the hollow protestations of Mr. Abdur Rahman Siddiqi, when they sit round the table, if there is any opposition to any scheme for implementing the recommendations of the Land Revenue Commission, that will come from the Muslim League Opposition. It is no use, having betrayed the resources of the country, having shelved the recommendations of the Committee for four years, to come to-day and say that this Government of two months' standing is not implementing the recommendations. If the recommendations have not been put into operation it is not because we are here for the last two months, but it is because the party which has now gone to the Opposition was irresponsible, unbusinesslike, insincere and did not mind real business by the people. Sir, we on this side of the House who belong to the Congress (A voice from the Opposition Benches: No, not Congress) make it clear that we shall certainly inspire Government and we shall persuade this Ministry to take up and complete the proposals, so that we can show the outside world that where the other party now belonging to the Opposition failed as Government we of the Congress as Government have succeeded. We want to show the people that where they have kept the people in eternal darkness and have deluded the people, we were at least trying to light the lamp of hope and liberation.

Dr. NALINAKSHA SANYAL: Sir, the question may now be put.

Mr. DEPUTY SPEAKER: My idea was that I would allow 2 or 3 more speakers to speak from both sides. But if you insist on putting the closure now, my only course would be to ask Hon'ble Mr. Banerjee to reply on behalf of the Government.

Dr. NALINAKSHA SANYAL: Sir, I have no objection if you are prepared to sit till 1 o'clock and dispose of all the motions. There are 17 motions in the list and if you decide to allow any more speeches on this motion, then the inevitable result will be that the other motions which may be actually important will be shut out. I do not want to stand in the way of anybody delivering speeches. The previous speaker has taken 13 minutes. You have not fixed any time-limit. We find that it is very difficult for us——

Mr. DEPUTY SPEAKER: In that case I would request Mr. Banerjee to reply on behalf of Government.

Mr. FAZLUR RAHMAN: Sir, we would request you to allow only one more speaker from our side, because it is a very important motion and the Opposition has the privilege. Government side speakers may not be allowed to speak. As a matter of fact, their whole policy will be enunciated by the Hon'ble Minister. Therefore, Sir, I hope that you will be pleased to allow only one more member from our side to speak.

Mr. DEPUTY SPEAKER: I will allow one speaker from this side and one speaker from that side.

Mr. FAZLUR RAHMAN: Sir, in the past the practice has been that the Government spokesman speaks last. (A voice from the Coalition Benches: The past is past.) This is the tradition of this House. The Hon'ble Minister will be in a position to enunciate the whole policy of the party which runs the Government, and so their point of view will be stressed by him. Therefore, Sir, I would request you to allow only one more member from our side to speak.

Mr. DEPUTY SPEAKER: Dr. Sanyal, do you insist on your closure motion?

Dr. NALINAKSHA SANYAL: Sir, it will depend on what procedure you propose to follow. If it is your intention with the leave of the House to permit voting till to-morrow in respect of some motions relating to Land Revenue, I have no objection if you permit at least two more speakers within a definite time giving five minutes to each of them, so that we can go and vote by 11 o'clock positively and sit till 11-30 and take half an hour's time to-morrow for Land Revenue to dispose of the other motions left over. If this is agreed to, I think this side will have no objection. It all depends on you, Sir. In that case two more speakers, one from this side and another from that side, can speak for five minutes each and the Hon'ble Minister may take 20 minutes.

Mr. SHAHEDALI: On a point of order, Sir. Instead of wasting time in this way, you can allow one speaker to speak only for five minutes.

Mr. DEPUTY SPEAKER: That is not a point of order. Mr. Abdul Latif Biswas will now speak.

Maulvi ABDUL LATIF BISWAS: Mr. Deputy Speaker, Sir, I rise to support the motion moved by my honourable friend Mr. Abdulla-Al Mahmood.

Sir, the cut motion has been moved in order to direct the attention of the House to the failure of Government to give effect to the recommendations of the Floud Commission. (Mr. ATUL CHANDRA SEN: Which Government?) We, on this side of the House belonging to the League, have always advocated the idea of giving effect to the recommendations of the Land Revenue Commission. The past Government did everything necessary in order to bring about a change which is very important and essential in its character. They had gone through every preliminary and when they were about to give effect to the recommendations of the Floud Commission the Hon'ble Chief Minister, the *proja-darad*ı Minister, has taken a course which has been disastrous in the matter of giving effect to the recommendations and, Sir, the reasons are not far to seek. We, on this side of the House belonging to the League, all along advocated the idea of giving effect to the recommendations of the Commission and I may say to this House that our the then leader the Hon'ble Chief Minister shelved the question on this ground or other. When he being a landlord himself found that the party of the then Government would not allow him to shelve the question any more he changed the party and made alliance with a party which is being guided in spirit by Burdwan and Mymensingh (Cries of "Hear, hear" from the Opposition benches). To-day, Sir, we have heard with pain the speech of the Maharaja of Mymensingh, one of the guiding spirits of the present Government. When we heard that speech, I confess, Sir, that I was disillusioned and I thought that this Government was powerless to give effect to the recommendations of the Floud Commission. I thought, Sir, that this is a point, this is a matter which led our the then leader to cut off connection with that Government and to make alliance with a party whose guiding spirit is the Hindu Mahasabha and the Forward Bloc. At the present time there has been a conjunction of the Ganges and the Jumna in the action of the Hon'ble Chief Minister who, while forming the Ministry, has included the members of the Forward Bloc, who and their leader Mr. Sarat Chandra Bose whom we are missing to-day unfortunately advocated and declared with loud voice for the abolition of the zemindary system here on the floor of the House and also out side on the platform and in the columns of newspapers.

Now, Sir, there is another thing. The Chief Minister has not forgotten to include in his Cabinet the stout disciple of the Hindu Mahasabha leader Savarkar in the person of the redoubtable Dr. Syamaprasad Mookerjee. That is why I say that there has been a conjunction of the Ganges and the Jumna, and on this confluence, Sir, I expect that the Hon'ble Chief Minister standing here to-day on the floor of the House will declare without any ambiguity whatsoever and with clearness that it is the policy of his Government to give immediate effect to the recommendations of the Land Revenue Commission. But, Sir, when I want a declaration I confess that I cannot but think that the present Government is practically guided by the spirit of Dr. Syamaprasad Mookerjee whose high priest showered blessings upon the head of Mr. Fazlul Huq forming the present Government for commissioning Dr. Syamaprasad Mookerjee to safeguard the interests of the Muslims and Mr. Fazlul Huq for looking after the Hindu interests. Sir, I confess that this Government, constituted as it is, is incapable of giving effect to the recommendations of the Floud Commission. I do not like to take up much time of the House. Sir, the object of moving this cut motion by the Opposition is to have a declaration from the Hon'ble Chief Minister who has all along taken up the position that this Government is going to adopt the policy of giving effect to the recommendations of the Floud Commission without the least delay and if that declaration is made, this side of the House will be satisfied.

One word regarding my friend Mr. Abu Hossain Sarkar. To me it appears that Mr. Abu Hossain Sarkar has been changed by a touch of the magic wand. I do not like to say more.

Again I want to say that the object of moving this cut motion is nothing more than to get an assurance from the Hon'ble Chief Minister that his Government is going to give effect to the recommendations of the Floud Commission.

The Hon'ble Mr. SANTOSH KUMAR BASU: Mr. Deputy Speaker, Sir, before the debate proceeds further I want to correct my friend Mr. Abdul Latif Biswas's statement that the Hon'ble Minister who is in charge of Land Revenue belongs to the Forward Bloc in the Bengal Legislative Assembly. I state here and now that there is no Forward Bloc Party in the Bengal Legislative Assembly. If there is any doubt, Sir, I may say that we belong to the Congress Parliamentary Party in the Bengal Legislative Assembly.

Dr. NALINAKSHA SANYAL: There is no other party called the Bengal Congress Parliamentary Party except the Official Congress Party.

Mr. SHAHEDALI: Mr. Deputy Speaker, Sir, Mr. Abdul Latif Biswas has just now said that he wants a declaration from the Hon'ble Chief Minister that the recommendations of the Floud Commission would be accepted by Government. I may tell Mr. Biswas that the Hon'ble Chief Minister had already made his declaration before 1937 that he was for the abolition of the zamindary system in Bengal. After the year 1937 he could not do anything because he was under the baneful influence of the Muslim League. When the appointment of the Floud Commission came up for discussion before the House, we who were on the Opposition then opposed it and gave expression to our view that the system could be abolished by a suitable legislation. It was the Muslim League who stood in the way. They had the Committee formed to adopt the dilatory method. In the name of the Floud Commission, they visited different parts of India and thus squandered a large sum of money. Mr. Abdur Rahman Siddiqi has deliberately said that the system should go because he has no zamindari and, therefore, has nothing to lose. Mr. Suhrawardy also has subscribed to the same view because he also has nothing to lose. What about Khwaja Sir Nazimuddin and Mr. K. Sahabuddin? I want them to come forward and make speeches giving out their intentions to show that they mean business. It is the policy of the Muslim League that the statutory rights must be preserved. (Cries of "No, no" from the Opposition benches.) You say "no" and I say "yes". Mr. Abdur Rahman Siddiqi has asked Mr. Abu Hossain Sarker to show to the House that it was the policy of the Muslim League to preserve the statutory rights but if he was in possession of all the papers, he would not have asked the question.

When there was a difference between the members of the Muslim League and the Krishak-Proja Party, the members of the Krishak-Proja Party went into the Opposition. After a year or two there was some sort of cement betwen the Muslim League members and members of the independent Krishak-Proja Party. The Hon'ble Mr. Shamsuddin Ahmad and Mr. Tamizuddin Khan went and joined the Ministry on condition that they would do something and that if they failed to do it they would come out. The Hon'ble Mr. Shamsuddin Ahmad had the courage to come out of the Cabinet but Mr. Tamizuddin Khan remained there forgetting the pledges that he had made. Today, I can assure the House that the members of the Krishak-Proja Party are very serious over the question of Floud Commission. We do not want to give effect to the insincere cut motion placed before the House by the Opposition. We want to do something real. We shall ask our Minister to have the Zamindari system abolished.

There was one question raised by the Maharaja of Mymensingh, that is, whether it would be legal or illegal to do away with Zamindary system. There was a case before the Federal Court only about a

month ago. The decision was that the laws made by the Company would be altered by the Provincial Government, that is to say, it would be within the purview of the Provincial Legislature to alter the laws made by the Company in the year 1793 or before. So far as that question is concerned, there need not be any more doubt in the minds of the members of the Legislature. Why are they not going to give effect to it? The reason is that there are a number of Muslim zamindars—more Muslim zamindars in other provinces than in Bengal. The leaders who are zamindars, do not want their rights to be taken away. The policy must be dictated by the Muslim League. If they are sincere, I shall be glad to hear from them that they really mean what they say. It is not our business only to criticise the Opposition We have got our own duty to do Today we hope that the Hon'ble Minister will make a declaration before the House that he will try to do his best to do away with landlordism.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Mr. Deputy Speaker, Sir, land revenue is the backbone of the finances of this province and on behalf of the Government I welcome the debate on the question of the grant under the head "Land Revenue" this morning. I shall first of all deal with the cut motions moved by my honourable friend Mr Abdulla-Al-Mahmood and my honourable friend Mr. Nikunja Behari Maiti I am glad, Sir, that the mover of the first cut motion did not want to apportion the blame between this Government and its immediate predecessor in office. He tauntingly observed with reference to the party in power this morning: let the gallant advocates of the tenants in the Government tackle the problem. I do not realise, I do not admit that either the Opposition or the Government of the day for the time being should be the gallant advocates of the tenantry of Bengal. I will not say and I will not admit that the cut motions introduced by my friends opposite have been introduced from the point of view either of insincerity or of hollowness or of hypocrisy. My view is that the problem is so vast, that the complexities are so great, that a proper solution of the problem will undoubtedly lead to the regeneration of the nation and on this question whatever political differences we may have in this Assembly and outside we may just as well meet on a common platform to alleviate the sufferings of the tenantry.

Mr. ABDULLA-AL-MAHMOOD: The report is there.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: My friends opposite in their impatient zeal point to the fact that the report is there. Yes, the Floud Commission was appointed on the 5th of November, 1938. Its report was submitted in March, 1940, and in

order to consider the applicability of that monumental report of the Commission the Government of the day appointed a Special Officer to consider its implications; and Mr. Gurner, the Special Officer, presented his report in July, 1940. Then Sir Bijoy Prasad Singh Roy, my predecessor in office, discussed the report before the Bengal Legislative Assembly on two successive days, 28th and 29th July, 1941. Sir, the present Government was constituted finally on the 17th of December, 1941. If no action has been taken for ameliorating the condition of the tenantry during the last five years, that is not a lacuna, that is not a fault of the present Ministry, and it will be realised by both sides of the House that the problem is so vast, that the times are so abnormal that it may probably be necessary for this Government or any other Government of the future, if it desires to carry the recommendations into immediate effect, to consider what modifications, if any, must be proposed in view of these special abnormal times in which we have been living, through which we have been moving. On that point, Sir, I entirely agree with the observations made by my honourable friend Mr. Nikunja Behari Maiti. He stated that so far as this report is concerned, the question of expropriation does not arise. I very carefully analysed the 16 speeches which were delivered on the floor of the Legislative Assembly on the 28th and 29th July, 1941, and I found that with the exception of two there was nobody, not even my honourable friend Mr. Abdul Latif Biswas who advocated the doctrine of wholesale expropriation. Therefore, the abolition of the Permanent Settlement and the acceptance of the main recommendations of the Floud Commission involve certain financial commitments. I shall leave it to the Hon'ble Finance Minister to see whether in view of the abnormal situation which has arisen in this province it is possible for any Government to tackle the financial implications of the scheme so as to give effect to it immediately.

Sir, so far as the past Government is concerned, its financial position was much better than that of the present one. Whether the past Government consisted of bigger capitalists than the present one is a question which the verdict of history will establish some day. I agree, therefore, with the observations of my honourable friend Mr. Maiti that the recommendations of the Floud Commission might be carried into effect with reference to certain less important provisions. As a matter of fact, even in July last when the war in the Far East was looming large, one of my honourable friends who is a prominent member of the Opposition today advocated the modification of the main recommendations of the Floud Commission Report.

Sir, so far as the question of the acceptance of the report is concerned, I must state very frankly that this Government did not have sufficient time to make up its mind on this all-important question, but I should like to make it quite clear that we do not propose to

shelve this problem indefinitely and what I propose to do is to have a conference of leaders or representatives of the different parties in the House and try to come to some sort of general agreement, if general agreement is possible, and then this Government will publish its decision and conclusions in the shape of resolutions. (Mr. FAZLUR RAHMAN: When that conference will come?) Sir, the conference, if constituted, might meet before the life of this session of the Assembly is over. And notwithstanding the impatience—I will not refer to the taunts and jeers of my friends opposite—notwithstanding the patriotic impatience of my friends opposite, how will they meet the obligations referred to in the Floud Commission Report? Whether it is a sum of Rs. 67 crores or it is a sum of 118 crores, has this province got the necessary cash for liquidating its obligations? As an alternative, the issue of bonds was suggested. And the question is that so far as the issue of bonds is concerned, is it not time that we should consider—not Government alone or the Opposition alone—whether that alternative proposal is feasible under the circumstances?

Then, Sir, my friend Mr. Maiti referred to the recommendations of Mr. Stuart in his report on Khasmahal Areas in the province. Sir, I have carefully gone through that report and many of the recommendations of that report. They are matters of earnest consideration by this Government, and I give him this assurance that the recommendations of Mr. Stuart will receive the best attention of the present Government. The difficulty with reference to the acceptance of two of the main recommendations arises out of the later recommendations of the Floud Commission. The question of remission of rent is a point which is engaging our attention, and it may be, Sir, within your recollection that even as the present law stands you have got section 112 of the Bengal Tenancy Act under which revision of rent is quite possible, and this Government will appoint an officer and will issue instructions to see that wherever the rate of rent is abnormal, this officer will make a proper enquiry and inform the Government for necessary action. So far as the question of reduction of flat rate of rent is concerned it is a question which has been considered by the Floud Commission, and may I point out to my friend, if he will be good enough to look at paragraph 204, page 100, of the Floud Commission Report, he will find that the Floud Commission was advocating enhancement of rent? In Mr. Stuart's report, Mr. Stuart, it is true, advocated reduction of rent, specially in those areas where the rents are abnormally high not necessarily due to productivity but due to reasons which he characterised as historical.

Sir, the last Government appointed a Rent Reduction Enquiry Committee. I shall deal with it if I have the opportunity of dealing with the resolution in the name of my honourable friend Mr. Dhirendra Nath Datta. The Rent Reduction Committee since 1938 has not yet

been able to complete its report. (DR. NALINAKSHA SANYAL: Dissolve it!) Till that report is obtained Government will find it difficult to commit itself to a definite permanent principle in the matter of reduction of rent. But this assurance I am prepared to give that wherever rents are excessive, attempts will be made to reduce the rents on the reports of Special Officers whom we are going to appoint.

Sir, Mr. Maiti also referred to the question of remission of rent in cases of natural calamities. The question of remission of rent is a question which is governed by the Touzi Manual of 1940. This is a manual again which was not prepared by the present Government. Mr. Maiti's motion, however, refers not merely to remission of rent but it refers also to the lightening of the burden of taxation upon the peasants. I agree with him entirely that the Department of Revenue is not exclusively concerned with the question of reduction or lightening of the burden of taxation upon the peasantry of Bengal. This department is concerned only with one aspect of the problem, namely, the question of remission of rent in cases of natural calamities and I can assure him and I can assure the House that in this direction also every effort will be made by the present Government to alleviate the distress of the peasantry. In fact, in the cyclone and flood-affected areas in certain districts of Eastern Bengal, Government have allowed certain concessions—concessions which, by this time, I suppose, are well known to every member of the House.

Sir, I now refer to the observations made by my honourable friend Mr. Abu Hossain Sarkar. I am not interested to know whether the abolition of Permanent Settlement constituted or constitutes one of the planks of the orthodox Muslim League. It is open to any political party to accept accretions and my friends of the Muslim League in the Opposition are entitled to make adoptions if such adoptions have not already been made. My honourable friend Mr. Siddiqi referred to adopted fathers and mothers adopted. Sir, in my study of the Roman Law dealing with the chapter on "Peter Familias" I came across an obseravation of the famous French Jurist Jeerat. He says there: "Paternity is a question of opinion, maternity is a question of fact".

Sir, I am glad that my honourable friend Maharaja of Mymensingh is not opposed to acquisition by the State.

Then I come to—as I always treat with the deepest respect—the observations of my honourable friend Mr. Abdur Rahman Siddiqi. I am sorry he is not here. He was this morning somehow interested in abnormal sex psychology (Laughter) and he talked about prostitution of politics. That is an expression which I do not like (DR. NALINAKSHA SANYAL: Sir, he is an old bachelor. You can excuse him.) And he made a kind of personal reference to my visit to Delhi. My visit to Delhi has become so famous by this time that

I was almost wondering whether or not it might just as well emulate the crusading zeal of one of the earliest Popes whose visit to Jerusalem is enshrined in the memories of men. My honourable friend Mr. Siddiqi in the course of his speech in July last before the Legislative Assembly quoted a Persian proverb and said "When you want to do a piece of good business, do not consult any oracle". Well, it is the misfortune of every Minister of the Crown to consult oracles. Who are the oracles in this instance? I better leave unsaid. My honourable friend Mr. Siddiqi also gave me an assurance and his assurance was to this effect: Undo the Permanent Settlement and in the task of undoing the Permanent Settlement, you will have the support of all the members opposite. Well, I am counting not on their absolute but on their conditional support and when we meet in a conference, I hope we shall have their advice and their guidance.

My honourable friend Mr. Abdul Latif Biswas was somewhat in a bellicose mood this morning—he is not always. I usually find him very reasonable. He was talking of the failure of this Government to carry into immediate effect the recommendations of the Floud Commission report. In these abnormal times, one is apt to forget time and distance and if my honourable friend was forgetting the limits of time, I shall certainly not be one of those who will enter a demurrer.

My honourable friend also referred to a combination between my chief, the Hon'ble Chief Minister and the Hon'ble Minister for Finance and he wondered, was this the confluence between the Ganges and the Jumna. May I ask him, has he forgotten that the mighty rivers of the Padma may join, similarly keeping and retaining their identity, with the clearer and more limpid rivers of the Meghna?

Sir, he pointed out to me the assurance given to this House by the last Leader of the Opposition. The value of that assurance and the urgency of that assurance are well known to me, but I agree with the views of my honourable friend that a hero never appears solely to his admirers and followers and, therefore, if this appreciation comes from quarters opposite and if the quarters opposite have sincere views, then those views constitute the highest form of flattery.

Sir, with these observations I have formally to oppose the cut motions moved.

Mr. DEPUTY SPEAKER: I shall now put motion No. 2 of Mr. Abdulla-Al-Mahmood and motion No. 3 of Mr. Nikunja Behari Maiti to vote.

Dr. NALINAKSHA SANYAL: They should be put to vote separately.

Mr. DEPUTY SPEAKER: Yes.

The motion of Mr. Abdulla-Al-Mahmood that the demand of Rs. 36,22,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100, was then put and a division taken with the following result:—

AYES—40.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jainluddin Ahmad, Khan Bahadur Maulvi.
Jasimuddin Ahmed, Khan Sahib Maulvi.
Maniruddin Akhand, Maulvi.
Masud Ali Khan Panni, Al-Hadj Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K. C. I. E.
Nooruddin, Mr. K.
Razaur Rahman Khan, Mr.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C. B. E.
Tamizuddin Khan, Mr.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

NOES—111.

Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Jabbar, Maulvi.
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazal, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Asimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Prombari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Ranik Lal.
Biswas, Mr. Surendra Nath.
Chakraborty, Mr. Jatindra Nath.
Chakraborty, Babu Narendra Narayan.
Chaudhuri, Rai Harendra Nath.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Manmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Golam Sarwar Hosaini, Mr. Shah Syed.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hasan Ali Chowdhury, Mr. Syed.
Hassanuzzaman, Maulvi Md.
Hashem Ali Khan, The Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M. B. E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Asutosh.

McPherson, Mr. S. P.
Mahiuddin Ahmed, Dr. (Bogra).
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Manirruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mehala Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Moslem Ali Mollah, Maulvi M.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukherji, Dr. H. C.
Musharruf Hossain, Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nasker, Mr. Nem Chandra.
Pottinger, Mr. G. U.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Dhananjoy.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sadruddin Ahmed, Mr.
Saifuddin Ahmed, Haji.
Sanaullah, Dr.
Sanyal, Mr. Sasanka Sekar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Yousuf Mirza.
Zaman, Mr. A. M. A.

The Ayes being 40 and the Noes 111, the motion was lost.

The motion of Mr. Nikunja Behari Maiti that the demand of Rs. 36,22,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100, was then put and lost.

Maulvi AHMED ALI MRIDHA: Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 36,22,000 under the head "7—Land Revenue" be reduced by Rs. 100. The object of my motion is to raise a discussion about the abolition of garnishing system of collection.

Sir, I have got other motions also. May I move them now?

Mr. DEPUTY SPEAKER: Please confine yourself to item No. 4 only.

Maulvi AHMED ALI MRIDHA: Yes, Sir. This system is pernicious in its character and baneful in its operation. There was a similar provision in the Bengal Tenancy Act. We took notice of it and we took steps to abolish it from the Bengal Tenancy Act. The Bengal Tenancy Act provided that the landlords could proceed against not only the property but also against the person of the tenant as well as movable and other immovable properties including the crops standing on the land. In accordance with that there was a provision in the Certificate Procedure whereby a landlord could place a list of the defaulting tenants before the Certificate Officer so that he might proceed against the tenant and attach his movable and immovable properties. We have already abolished, as I have said, such a provision from the Bengal Tenancy Act so far as it touched the personal property of the tenants in default other than the tenancy in default. Today Sir, the landlord cannot proceed against either the crop or any movable property of the defaulting tenant. He also cannot proceed

against any property other than the tenancy in default. In spite of that there is a provision like this by which the landlord can proceed not in his own name but through the Certificate Court in an abnormal way against the tenants—sub-tenants—and have the properties of all kinds sold, even the person of the tenants not being excluded. This system is called "garnishing system" but I characterise it as a pernicious system. If this system has escaped the notice of the last Government it must at least receive attention just now because this system is pernicious in the same way as the provision in the Bengal Tenancy Act to which I have already referred. So, Sir, this system must be discontinued. There must no longer be a provision like that in the Law, by which a landlord can proceed against the person or other properties of the tenant. It should no more be possible for a landlord to take recourse to certificate procedure to proceed against the person or properties of the tenant. Sir, the position now is that if a landlord does not pay a cess naturally the Collector pounces upon the zemindar and serves a notice on him under the Certificate Procedure Rules Then and there the zemindar furnishes the names of tenants who are in arrears not only of various cesses but also of rent and then the provision under the Public Demands Recovery Act is utilised and all the mischief comes. Today the position is that the standing crop is also attached. There is unrest in the countryside. You know, Sir, year before last on our motion the Certificate Procedure has been discontinued in regard not only to the zemindar's rent cases but also in regard to khas mohal and other lands of Government. But today under this highly injurious provision a landlord can proceed not only against the tenancy in default but also against the person, moveable and other immovable properties of the tenant who is not actually the tenant of the Collector but a tenant of the defaulting zemindar. Therefore, Sir, we urge that this provision should at once be abolished and the tenants not proceeded against in that manner. Today the conditions in the countryside have become very much worse and in many districts famine continues. When disasters overtake the country, Government come forward to help the people by distributing relief, by granting loans and by making provision for gratuitous and test relief. There also this pernicious system is adopted for the collection of the dues of landlords by the Collector—a man who is not to receive the money from tenants. That being the position, I hope it may now be possible for Government to give effect to my motion regarding the abolition of the garnishing system of collection.

Adjournment.

It being 11-30 a.m.—

The House was adjourned till 8-30 a.m. on Tuesday, the 10th March, 1942, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 10th March, 1942, at 8-30 a.m.

Present:

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 9 Hon'ble Ministers and 195 members.

STARRED QUESTIONS

(to which oral answers were given)

Alleged assault and arrest of students by police.

*114. **Mr. K. NOORUDDIN:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that several students and young men have recently been assaulted by the police on the Bongaon railway station; and

(*ii*) that five young men have been arrested at the Jessore station?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the reason thereof; and

(*ii*) whether he is contemplating taking any steps in the matter?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) (*i*) The local authorities have no information but further enquiries are being made and I will give the honourable member the information when it is received.

(*ii*) This is not correct. No arrest was made.

(*b*) Does not arise.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state when can we expect this enquiry to be finished?

The Hon'ble Mr. A. K. FAZLUL HUQ: Well, Sir, the authorities were addressed a few days ago and I expect the information by the end of this week.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if he was personally present at the railway station when this occurrence took place?

The Hon'ble Mr. A. K. FAZLUL HUQ: I was in my compartment, but I did not see anything.

Arrest of Muslim students at Barisal.

***115. Mr. M. A. H. ISPAHANI:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that 50 Muslims were arrested at Barisal on the 11th January, 1942;

(*ii*) that 29 of them were confined in a *hajat;* and

(*iii*) that the said *hajat* was originally meant for four persons?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for such arrests and confinement in such a small place?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) 45 persons were arrested.

(*ii*) This is not true.

(*iii*) Does not arise.

(*b*) They were arrested for committing an offence under section 295, Indian Penal Code, for defiling a mosque. The allegation of confinement is, as I have said, wholly untrue.

The boys were let off with a warning.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state in what manner the defiling of the mosque took place?

The Hon'ble Mr. A. K. FAZLUL HUQ: They got up on the roof of the mosque with shoes on, and they were obstructing persons coming to the mosque for saying their prayer. I say it from the report.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if this is a cognisable offence?

The Hon'ble Mr. A. K. FAZLUL HUQ: They were arrested under the orders of the Subdivisional Magistrate.

Khan Bahadur MOHAMMED ALI: Was there any complaint lodged or was there any person who sent information to the authorities?

The Hon'ble Mr. A. K. FAZLUL HUQ: *The Magistrate, the Sub-*divisional Officer and the Superintendent of Police were there, and they must have acted under the orders of the Magistrate.

Khan Bahadur Maulvi SYED MUHAMMAD AFZAL: Is the Hon'ble Minister aware that Maulvi Ashrafuddin Talukdar, a private Muslim member, complained against those students who defiled the mosque?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is true.

Mr. AHMED HOSAIN: Will the Hon'ble Minister be pleased to state where the arrested boys were detained till they were let off?

The Hon'ble Mr. A. K. FAZLUL HUQ: They were taken to the thana, and as soon as I came to know of this I told the District Magistrate to let them off with a warning.

Mr. AHMED HOSAIN: How long were they kept there?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not know that.

Mr. AHMED HOSAIN: Were they left in the *hajat*?

The Hon'ble Mr. A. K. FAZLUL HUQ: They were not in *hajat* at all.

Maintenance allowance of Mr. Sarat Chandra Bose and his family.

***116. Mr. PRATUL CHANDRA CANGULY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the Government have made any enquiry of the India Government about Mr. Sarat Chandra Bose's family allowance and his maintenance allowance in Trichinopoly Jail including diet, clothing, books, toilet, etc.?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the amount of allowances given to Mr. Sarat Chandra Bose, in respect of the following items:—

(*i*) diet,

(*ii*) clothing,

(*iii*) books and newspapers,

(*iv*) toilet, and

(*v*) the maintenance of his family?

(*c*) Will the Hon'ble Minister be pleased to state—

(*i*) whether Government have made any enquiry of the India Government about the present state of health of Mr. Sarat Chandra Bose; and

(*ii*) whether any arrangements have been made there for the treatment of his ailments?

(*d*) If the answer to (*c*)(*i*) is in the affirmative, will the Hon'ble Minister be pleased to state the result of the enquiry?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) Mr. Bose is in detention under the terms prescribed in the Madras Security Prisoners' Rules as regards items (*b*)(*i*) to (*iv*) but he has been given permission to receive up to Rs.50 monthly to supplement the diet allowance of annas 9 daily and to meet other requirements and special arrangements have been made for a cook. The Government of India have informed us that Mr. Bose's family will receive an allowance of Rs.1,000 and we have made arrangements for this sum to be paid to his wife.

(*c*) and (*d*) No such enquiry was made but two of my colleagues recently visited him and I understand that his present state of health gives no ground for immediate serious concern. Medical attendance is provided in the Trichinopoly Jail.

Restrictions for holding meetings at Dacca.

*117. **Khan Bahadur Maulvi AULAD HOSAIN KHAN:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that the District Magistrate, Dacca, has passed an order prohibiting holding of any meeting without permission from the District Magistrate ten days before?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether *milad* party, *waez mahfil* and other non-political and purely religious assemblies have been exempted?

(*c*) Is the Hon'ble Minister aware that going to Dacca for the mufassal people for getting the permission is expensive?

(*d*) If so, will the Hon'ble Minister be pleased to state whether the District Magistrate has delegated any such power to the Subdivisional Officer or to any Subdivisional Police Officer?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) Yes.

(*c*) Application can be sent by post.

(*d*) No, but the Subdivisional Officers are already authorised under Government Notification No. 1384-P. (paragraph 6), of the 4th March, 1941.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if it is a fact that even members of this Legislature are debarred from addressing their constituents unless they can satisfy the District Magistrate that nothing would be spoken against the present Ministry?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is most maliciously untrue.

Relief to zemindars of flood and cyclone affected districts.

***118. Mr. TARAK NATH MUKERJEA:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that several districts in the Province like Burdwan, Midnapore, Bankura, Hooghly and Howrah have been affected by the recent floods and the district of Noakhali by cyclone;

(*ii*) whether it is a fact that the *raiyats* in the affected areas are not paying the rent to the zemindars timely and regularly; and

(*iii*) that the zemindars of the said districts are unable to pay Government revenue and cess, etc.?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, the Government propose to take in the matter?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) (*i*) The districts of Burdwan, Midnapore, Bankura, Hooghly and Howrah were only partially affected by floods, and the district of Noakhali was affected by cyclone.

(*ii*) and (*iii*) No, except in the case of the Noakhali district.

(*b*) Government issued the following instructions in June last to give relief to the proprietors and tenants of private estates as also to the tenants of Khasmahal estates of the districts of Noakhali, Bakarganj and Tippera in the matter of payment of land revenue and cesses during the period of distress:—

(1) No estates should be put up to sale for total or partial default in payment of land revenue for any *kist* till the next harvest. The estates which have already been advertised for sale may be exempted from sale under section 18 of the Sale Law.

(2) No steps should be taken to execute the pending certificate in respect of road, public works and education cesses till th next harvest. Fresh certificates may be filed for the realisa tion of arrears of such cesses only when they are about to b time-barred, but their execution should be suspended till th next harvest.

(3) If the proprietors of private estates apply for suspension o remission of their land revenue and cesses, action shoul be freely taken under rules 171, 190 and 192 of the Benga Tauzi Manual, 1940.

(4) In case of Khasmahal estates, relief should be given to th tenants by way of suspension of land revenue and cesse till the next harvest in accordance with the rules containe in Part I of Chapter XIV of the Bengal Tauzi Manual, 194(

No such relief is, however, in contemplation of Government in th cases of the other districts mentioned.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state if these instructions will be followed in Noakhali till the nex harvesting season?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: If there is any difficulty about Noakhali, the honourable member will kindly let me personally know all about it so that I can enquire into the matter.

Relief to flood-stricken people.

*119. **Mr. ADWAITA KUMAR MAJI:** Will the Hon'ble Ministe in charge of the Revenue Department be pleased to lay on the Tabl a statement showing—

(*a*) the relief distributed this year among the flood-stricken peopl of—

(1) Burdwan,
(2) Hooghly,
(3) Murshidabad,
(4) Noakhali,
(5) Midnapore,
(6) Bankura,
(7) Jalpaiguri, and
(8) Barisal; and

(*b*) the percentage of paddy crops damaged in each of the saic districts?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: A statement is laid on the Table.

Statement referred to in reply to clauses (a) and (b) of starred question No. 119.

Relief distributed.		Percentage of paddy crops damaged.
(1) *Burdwan district.*	Rs.	
Gratuitous relief	3,692	Not exceeding 25 per cent. in the worst affected area.
Agricultural loans	400	
Free grant for rebuilding of huts	14,431	
(2) *Hooghly district.*		
Gratuitous relief	9,600	20 per cent. in the affected areas.
Free grant for rebuilding of huts	1,000	
(3) *Murshidabad district.*		
Gratuitous relief	2,450	18·5 per cent. of *aman* paddy in the affected areas.
Agricultural loans	37,092	
(4) *Noakhali district.*		
Agricultural loans	12,49,841	50 to 56 per cent. of *aus* and 19 to 25 per cent. of low land broadcast paddy.
Loans to non-agriculturists ..	8,637	
Loans to artisans and weavers ..	2,063	
Gratuitous relief	88,093	
Relief by way of paddy husking	1,25,000	
Test relief	22,060	
Advanced to district board for test relief.	75,000	
(5) *Midnapore district.*	Rs.	
Agricultural loans	23,308	16 per cent. in the affected area.
Gratuitous relief	4,635	
Free grant for rebuilding of huts	4,975	
(6) *Bankura district.*		
Agricultural loans	2,325	Only 12·5 per cent. of *aus* paddy in a limited area.
Gratuitous relief	1,200	
About 20 mds. of *rabi* seeds distributed free.		

	Relief distributed.	Percentage of paddy crops damaged.
(7) Jalpaiguri district.		
There was no flood.		
(8) Barisal district.		
Gratuitous relief	3,96,805	25 to 50 per cent. of *aus* paddy; no damage to *aman* paddy.
Test works	6,20,000	
Agricultural loans	24,24,589	
Loans to non-agriculturists ..	84,474	

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state if any money has been sanctioned for Noakhali for giving agricultural loan?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have not got any information at present with me, but if the honourable member wants the information I can certainly supply it.

Relief to the weavers of Bengal.

***120. Maulvi AZHAR ALI:** (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware—

(*i*) that the weavers of the Province are hard hit for the—

(1) high price of yarn required for their looms,

(2) lesser price of cloth produced by them, and

(3) inadequate supply of yarn; and

(*ii*) that weavers working in their own looms cannot earn even annas 4 per day?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what step, if any, he proposes to take in the matter?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) (*i*) (1) and (3) Yes.

(*a*) (*i*) (2) and (*a*) (*ii*) Government have no definite information. It is, however, a fact that the price of handloom cloth has not risen proportionately to the rise in the price of yarn and the income of the weavers has been affected thereby.

(*b*) The question of controlling the price of yarn has engaged the attention of this Government and that of Madras and the Government of India for some time past but in the absence of price control which is difficult to achieve the other suggestion to control yarn has been to control its distribution, i.e., to make an adequate supply of yarn available for handloom weavers; and to that end all cotton mills in India, weaving and spinning, have been exempted from the operation of section 34 of the Factories Act relating to limit of working hours and in Bengal they have recently been further exempted from section 38, relating to spread-over of working hours.

At the last Price Control Conference held at Delhi it was proposed to appoint a Central Yarn Commissioner with the Government of India to be associated with an Advisory Committee composed of the present members of the Yarn Sub-Committee of the Textile Panel. Each province will have a Yarn Commissioner and an Advisory Panel, the latter being composed of the representatives of mills and yarn merchants in the province. The distribution of yarn will be effected in two stages—

(1) primary wholesale dealers who will purchase directly from the mills; and

(2) other dealers who will purchase from the primary wholesale dealers and distribute to the consumers.

The Provincial Government will license dealers in both these stages and no non-licensed person will be allowed to sell yarn.

It is hoped that this scheme of distribution will make yarn available for the handloom weavers in a reasonable quantity. Later if experience shows that the system does not work satisfactorily, a system of price control will be considered.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to say when this Yarn Commissioner and the Advisory Panel for Bengal will be formed?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The Yarn Commissioner and the Advisory Panel are to be appointed by the Government of India and not by the Government of Bengal.

Dr. ABDUL MOTALEB MALIK: It is given in the answer that each province will have a Yarn Commissioner and an Advisory Panel.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: In the last Price Control Conference held at Delhi, it was decided that

there should be Yarn Commissioners and Advisory Panels. I think the Government of India should appoint their Yarn Commissioner first and then the Provincial Government will follow.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state when the Central Government is going to form that Board?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That I could not say.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister consider the desirability of encouraging spinning so that weavers may get hand-spun yarn?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Government are also thinking of their own power looms so as to supply these people with yarn themselves, but that is in the purview of the present Industrial Survey Committee which has not yet submitted its report. As soon as the report comes from the Industrial Survey Committee, Government will take steps to see that they are provided with their own yarn from their own power looms.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state if the Government of India make unusual delay whether the Government of Bengal will take the initiative?

Mr. DEPUTY SPEAKER: What is your question?

Dr. ABDUL MOTALEB MALIK: The Hon'ble Minister has stated that it is related to the Government of India's formation of this Panel. My question is whether the Hon'ble Minister will be pleased to say if the Government of India make unusual delay whether the Bengal Government will take up the matter because of the urgency in Bengal.

Mr. DEPUTY SPEAKER: This is a matter for the Government of India. How can the Bengal Government take the initiative?

Dr. ABDUL MOTALEB MALIK: Weavers are going to be affected more in Bengal than in other provinces of India. So, if in any case, the Government of India does not take up the matter seriously, will our

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: We are in correspondence with the Government of India and we are doing our utmost so that the Government of India may come to an early decision.

Sj. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to enlighten the House when the Provincial Government will begin licensing dealers so that weavers may get yarn?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Steps are being taken to do this as early as possible.

Maulvi AZHAR ALI: Will Government please take steps so that these licensed dealers may not sell yarn at any rate they like?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As I have already pointed out in my reply, that price control is coming very soon.

Procession at Comilla.

***121. Maulvi MAFIZUDDIN AHMAD:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact—

(*i*) that on the 26th January, 1942, a procession was led through the streets of Comilla town; and

(*ii*) that the processionists held a meeting in the Comilla Town Hall premises?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any permission for the procession and the meeting was taken from the District Magistrate?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*d*) Will the Hon'ble Minister be pleased to state whether any arrests were made in that connection?

(*e*) If not, why not?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) and (*d*) No.

(*c*) I am not in a position to know why those responsible for the procession and meeting did not apply for permission.

(*e*) Nothing prejudicial was done in the meeting or in the procession.

Mr. AHMED HOSAIN: With reference to answer (*e*) regarding taking out a procession without licence and holding meetings, will the Hon'ble Minister be pleased to state if these acts themselves are not prejudicial to law and order?

Mr. DEPUTY SPEAKER: That is an expression of opinion. That is no question.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state what was the occasion for taking out a procession on 26th January last in Comilla?

The Hon'ble Mr. A. K. FAZLUL HUQ: I want notice. I find nothing in the papers.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state if it is not a fact that such meetings and processions were held last year also in the town of Comilla for celebrating the "Independence Day" without licence?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes.

Giving effect to the recommendations of Floud Commission.

***122. Dr. SANAULLAH:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the Government have accepted all the recommendations of the Floud Commission?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state—

(*i*) which of the recommendations have been accepted; and

(*ii*) which of them will be given effect to within the next financial year?

(*c*) (*i*) If the Government have accepted the recommendation for abolition of the Zemindary system of Bengal?

(*ii*) If so, what amount of compensation?

(*iii*) When will it be given effect to?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: In the midst of the urgent problems created by the war the present Ministry have not yet had time to complete their examination of the recommendations of the Land Revenue Commission.

Sir, may I add to the printed answer that yesterday I made an additional statement in this connection?

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state what are the functions that have been entrusted to the Hon'ble Revenue Minister in connection with the war?

Mr. DEPUTY SPEAKER: That question does not arise.

Mr. SHAHEDALI: The Hon'ble Minister in his answer has said, "in the midst of the urgent problems created by the war, the present Ministry have not yet had time to complete their examination of the recommendations of the Land Revenue Commission." Sir, I wanted to know what are the functions of the Hon'ble Revenue Minister in that connection.

Mr. DEPUTY SPEAKER: Mr. Shahedali, you are entitled to ask supplementary questions to elicit further information. You can ask for information about the Floud Commission and not about his business in connection with the war and such things.

Fall in the price of raw jute.

***123. Maulvi AZHAR ALI:** (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware that recently price of raw jute has gone considerably lower than what was prevailing during the earlier part of October, 1941?

(*b*) Is it a fact that Government contemplate to allow jute to be grown to the extent of two-thirds of recorded jute lands next year?

(*c*) Is it a fact that representatives of the jute growers in the advisory committee are opposed to it?

(*d*) Is it a fact that mill owners and balers have stopped buying raw jute?

(*e*) If so, will the Hon'ble Minister be pleased to state the reason thereof?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) Mufassal prices of jute at the end of November, 1941, were lower than the corresponding prices at the beginning of October but the drop cannot be called considerable.

(*b*) Government decided to fix the acreage of the 1942 crop at 10 annas of that of 1940 and the necessary notification under the Jute Regulation Act was issued on the 1st December.

(*c*) Yes. The growers' representatives on the Advisory Board constituted under the Jute Regulation Act were opposed to any increase of the acreage over that of 1941 but Government were unable to accept

that recommendation because it would have resulted in a shortage of raw materials to meet urgent and important demands for jute goods from abroad.

(*d*) No.

(*e*) Does not arise.

Dr. SURESH CHANDRA BANERJEE: With reference to answer (*c*), in view of what has happened recently in the South Pacific, does the Government think that urgent and important demands for jute goods from abroad, if any, will still continue?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Government is earnestly considering this problem and will shortly issue a statement in this House in this connection.

Maulvi AZHAR ALI: Will the Hon'ble Minister be pleased to state if it is a fact that there is a huge stock both with the mill-owners and with the cultivators as well?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have already said that a statement will be issued by Government shortly.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state when that statement is likely to be made?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As soon as Government have come to a final conclusion.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state if he is aware of the fact that the sowing has already begun and unless a statement is made and restriction is made immediately, it will be ineffective?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: We are aware of the fact that sowing has begun and a statement will be made as early as possible.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state whether the present Government is ready to accept the responsibility if the price goes down due to abnormal increase?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I cannot bind Government as to the acceptance or non-acceptance.

Maulvi MUHAMMAD ISRAIL: With reference to answer (*c*), will the Hon'ble Minister be pleased to state what was the source of information of Government that there will be a shortage of raw materials to meet urgent and important demands for jute goods from abroad?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: From the Government of India.

Maulvi MUHAMMAD ISRAIL: May I know what was the ground and what was the source of information that there will be a shortage of raw materials to meet urgent and important demands for jute goods from abroad, in view of the fact that the Advisory Board took everything into consideration and Government placed all the materials before the Advisory Board and by giving consideration to all the materials placed before the Board, the Board by a majority came to a decision?

Mr. DEPUTY SPEAKER: The Chief Minister will make a statement to clarify the position.

The Hon'ble Mr. A. K. FAZLUL HUQ: This jute problem naturally has given every one of us moments of great anxieties. Many of us have been of the opinion that the acreage would be shortened. In these circumstances it so happened that the Commerce Member of the Government of India paid a visit to Calcutta. We were in conference with him and he has assured us that from information received he was quite satisfied that the demand for raw jute would be of a considerable character and the United States had given an assurance that they would be able to absorb raw jute even if the whole of the acreage was under jute. Subsequently the entry of the Japanese into the war made certain changes in the situation and I went to Delhi personally. The situation is this: The Government of India have assured us that so far as demand is concerned, there will be no shortage at all. The only possibility for apprehension would be whether there will be transport facilities and they have assured us that if for any reason the price fell beyond a certain limit, they will come to our rescue and help us to the utmost possible limit. We can on our own responsibility now shorten the acreage, but if having done that in spite of the advice of the Government of India price will fall, we will not be able to ask the Government of India to help us. Whereas at the present moment if we accept the proposition of the Government of India and if things go wrong unfortunately, we will be able to ask the Government of India to give us all possible help. We are still in communication with the Government of India and in the shortest possible time we will be able to announce our decision.

Dr. SURESH CHANDRA BANERJEE: In view of the fact that there has been acute shortage of rice in Bengal, does not the Government think that it would be better to increase the cultivation of rice instead of increasing the cultivation of jute?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As far as I am aware, there is an increased acreage under rice production. Further, Government is already trying its best to increase the production of rice as far as possible. To the knowledge of Government there is not very much shortage of paddy in Bengal.

Appointments in the Co-operative Credit and Rural Indebtedness Department from 1937 to 1941.

***124. Mr. MD. ABUL FAZL:** Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to lay on the Table a statement showing, grade by grade,—

(*a*) the number of clerical and other superior appointments (not menials) made in the departments in his charge from 1st April, 1937, to 30th June, 1941, from the—

(1) Hindus,

(2) Muslims,

(3) Scheduled Castes, and

(4) others;

(*b*) the number of each caste drawing salary of Rs.100 per month and upwards; and

(*c*) the number of those referred to in (*a*) that are related to any of the Hon'ble Ministers including himself?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Hashem Ali Khan): (*a*) and (*b*) A statement is laid on the Table.

(*c*) No relationship exists with me. I am not aware if any of them is related to any of the other Hon'ble Ministers.

Statement referred to in reply to clauses (a) and (b) of starred question No. 421

(a) Name of post or office.	Number of appointments.			
	Caste Hindus.	Muslims.	Scheduled Castes.	Others.
(1) Inspectors of Co-operative Societies.	11	19	7	2
(2) Special Officers, Debt Conciliation	37	56	18	7
(3) Auditors of Co-operative Societies	15	19	9	1
(4) Assistants in the Co-operative Credit and Rural Indebtedness Department.	8	12	4	..
(5) Stenographers to Deputy Directors, Debt Conciliation.	2	..	..	..
(6) Clerks in the offices of the Deputy Directors, Debt Conciliation.	..	3	..	..
(7) Clerks in the office of the Registrar of Co-operative Societies.	1	3	1	..
(8) Typists in the Co-operative Credit and Rural Indebtedness Department.	1	..	..	..
(9) Muharrir	..	1	..	..
(10) Typists in the office of the Registrar of Co-operative Societies, Bengal.	..	2	1	..
(11) Clerks in the offices of the Assistant Registrars of Co-operative Societies.	3	4	2	..
(12) Typists in the offices of the Assistant Registrars, Co-operative Societies.	6	6	2	..
(13) Special Officer, Co-operative Credit and Rural Indebtedness Department.	..	1	..	..
Total ..	84	126	44	10

(b)		
Caste Hindus	48	
Muslims	76	
Scheduled Castes	25	
Others	9	
Total ..	158	

Court of Wards Estates in Bengal.

*125. **Mr. ABDUL WAHAB KHAN:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) the present number of Court of Wards Managers' Office in the Province;

(*ii*) the present number of Managers employed—

(1) Hindus, and

(2) Muslims; and

(*iii*) the present number of Court of Wards Executive and Clerical employees drawing salary of Rs.200 and over—

(1) Hindus—

(*i*) Executive, and

(*ii*) Clerical, and

(2) Muslims—

(*i*) Executive, and

(*ii*) Clerical?

(*b*) Is the Hon'ble Minister aware that there exists a feeling amongst the Muslims for the inadequate number of Muslim employees under Court of Wards?

(*c*) Is the Hon'ble Minister considering the desirability of employing more Muslims as executive in the Court of Wards?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (*a*) (*i*) 63.

(*ii*) Hindus	...	...	...	56
Muslims	...	...	...	7
(*iii*) Hindus—				
Executive	...	...	...	30
Clerical	...	...	...	2
Muslims—				
Executive	...	...	...	5
Clerical	...	...	...	Nil

(*b*) Government have received no information on this point.

(*c*) In the past the people available for executive and clerical appointments in zemindary work had been mostly Hindus, and when the Court of Wards had taken over any estate it had also had to take over the existing staff in fairness to them. However in making new appointments, the Court of Wards now gives due consideration to the principles of communal ratio rules adopted by Government though the communal ratio orders do not apply to Court of Wards appointments.

Mr. MIRZA ABDUL HAFIZ: With reference to answer (*a*) (*ii*), does the Government consider the desirability of compensating the discrepancies that are found at the first opportunity?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: The matter is just engaging the attention of the Government. I cannot make any statement on the point now.

Sj. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to enlighten the House about the percentage of estates both Hindu and Muhammadan coming under Court of Wards?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have no information on the point at present, but if the honourable member so desires, the information could be made available to him.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state if he can tell us the proportion of the Muslim tenants to the Hindu tenants in those zemindaries?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I am afraid that will require a statistical collection which will be wholly incommensurate with the question arising out of party consideration.

Maulvi MUHAMMAD ISRAIL: In view of answer (*a*)(*ii*) does the Hon'ble Minister consider the desirability of reserving the appointments in the Court of Wards for Muslims alone?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: As has already been stated, in the case of new appointments, the Court of Wards will give due consideration to the proportion of communal ratio rules. Beyond that at this stage I am unable to add anything.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state what Government have done for Christians and others?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: No representation has yet been received, but if any representation is received, then the Christians and others will have to come under the residue clause of the communal ratio rules.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Reduction of rent of the Kazi Wards Estate and Mahendra Roy Estate in Tippera.

61. Maulvi MAFIZUDDIN AHMAD: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the Government have received any representation for reduction of rents of the Kazi Wards Estate and Mahendra Roy Estate in the district of Tippera?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, has been taken in the matter?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (*a*) Yes.

(*b*) The matter was examined by the Board of Revenue and the Board of Revenue was of the opinion that no action was called for.

Mr. DHIRENDRA NATH DUTTA: Will the Hon'ble Minister please tell us what is the rate of rent per *bigha* prevailing in those Estates?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I am afraid this statistics is not available to me to-day. My honourable friend knows probably more than anybody else.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state if the rents in Kazi Wards Estate and Mahendra Roy Estate are the highest in the Division?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I am afraid I have not that information to-day but as I have said the matter was examined by the Board of Revenue and the Board of Revenue was of the opinion that no action was called for.

Mr. DHIRENDRA NATH DUTTA: Will the Hon'ble Minister please tell us what rate of rent will be considered as rackrenting by the Government in order to justify the Government to act under section 112 of the Bengal Tenancy Act?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: The Revenue Minister, as my honourable friend knows, is a member of the Executive. Section 112 is more or less a judicial procedure. What rate of rent is called rackrenting is a question which ought to be judicially considered.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether the decision of the Revenue Board is final and whether the Hon'ble Minister will take the trouble of examining the rate of rent himself?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: So far as the constitutional powers of the Board are concerned, they are well-known to my honourable friend, but so far as the question of making further enquiry is concerned, I will certainly make further enquiry if he so desires.

Mr. DHIRENDRA NATH DUTTA: If the rate of rent is more than Rs. 3, does the Hon'ble Minister consider the desirability of holding a further enquiry into the matter with a view to give relief to the tenants?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: As I indicated yesterday in my speech, wherever there is a question of hardship caused by high rent, Government will make enquiry and will try to reduce the high rent as far as possible and my general observation covers the particular question put this morning by my honourable friend Mr. Dutta.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state whether the Board of Revenue is absolutely autonomous or whether it is part of the Government to which it is responsible?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: The Board of Revenue is autonomous for certain purposes. Since we have Provincial Autonomy the autonomy of the Board of Revenue must be within the orbit of that Provincial Autonomy.

Interviews with security prisoners detained in Hijli Special Jail.

62. Mr. PRATUL CHANDRA GANGULI: (*a*) Has the attention of the Hon'ble Minister in charge of the Home Department been drawn to the grievances of security prisoners—

(1) Sreejut Jnanendra Chandra Mazumdar,

(2) Sreejut Amulya Mukherji,

(3) Sreejut Harikumar Roy Choudhury, and

(4) Sreejut Harendra Chandra Roy

now lodged in Hijli Special Jail regarding interviews with their relations?

(*b*) Is it a fact—

(*i*) that Sreejut Jnanendra Chandra Mazumdar, M.L.A., is not allowed interview with his son;

(*ii*) that Sreejut Amulya Mukherji is not allowed interview with his younger sister;

(*iii*) that Sreejut Harikumar Roy Choudhury is not allowed interview with his wife and his sister-in-law; and

(*iv*) that Sreejut Harendra Chandra Roy is not allowed interview with his eldest brother?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason therefor?

(*d*) Will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of removing their grievances about interview?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) No representation regarding interviews has been made to Government by these prisoners except by Babu Jnanendra Chandra Mazumdar.

(*b*) (*i*) No, it is not a fact.

(*ii*) She was refused permission to interview him in May last.

(*iii*) An interview with his wife and his sister-in-law was refused, but with the mother was allowed.

(*iv*) An application for interview was refused in March last.

(*c*) I am not prepared to disclose the reasons in detail.

(*d*) No.

Mr. NISHITHA NATH KUNDU: With reference to answer (*c*), will the Hon'ble Minister be pleased to give us the reasons in short?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am merely following the precedents.

Post of Chief Inspector of Smoke Nuisances.

63. Mr. K. NOORUDDIN: (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) the qualifications of the Chief Inspector of Smoke Nuisances and Inspector of Smoke Nuisances;

(*ii*) the method of recruitment to these posts; and

(*iii*) whether the rules of recruitment are strictly adhered to?

(*b*) Is the Hon'ble Minister considering the desirability of reserving the post of the Chief Inspector of Smoke Nuisances for the Muslim community?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) (*i*) and (*ii*) A statement is laid on the Library Table.

(*iii*) The rules were adhered to in the past. But as persons possessing the main qualifications for the post of Chief Inspector as laid down in the Recruitment Rules are available in England only and the qualifications for the post of Inspectors are not very clear and definite, Government are considering the question of revising these rules on the lines of the rules for recruitment to the posts of Chief Inspector and Inspectors of Boilers Service which is an allied service. In view of this and in view of the very strong opinion of the Smoke Nuisances Commission which body controls and supervises the working of the Smoke Nuisances Department that Inspectors serving in the department and possessing local experience should be given preference over outsiders so far as the post of the Chief Inspector is concerned and further that the post of Chief Inspector should reasonably be filled up by promotion of Inspectors, I propose to promote the Senior Inspector to the temporary vacancy in the post of Chief Inspector with the approval of the Public Service Commission.

(*b*) As the Senior Inspector who is proposed for promotion to the temporary post of Chief Inspector is a non-Muslim, it has been decided on the advice of the Communal Ratio Officer that the consequent vacancy in the post of Inspector should be filled by a Muslim and the Public Service Commission is being accordingly addressed to select a Muslim candidate for the post of Inspector.

Appointment of Superintendent, Bengal Vaccine Institute.

64. Mr. M. A. H. ISPAHANI: Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) whether the post of the Superintendent of the Bengal Vaccine Institute was reserved for any community;

(*b*) if so, the name of the community;

(*c*) whether the post was advertised;

(*d*) whether the Public Service Commission was consulted;

(*e*) whether Government contemplate filling up the vacancy; and

(*f*) if so, from which community?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*), (*c*) and (*d*) Yes.

(*b*) Muslim.

(*e*) and (*f*) The Public Service Commission, Bengal, while recommending two Muslim candidates has expressed the opinion that the standard of excellence of the candidates is low and neither from the academic nor from the practical point of view can they be described as good candidates. The question of appointment of an efficient technical expert to this important post should, therefore, be further thrashed out. I am, therefore, of opinion that the method of recruitment to this key position so far adopted requires reconsideration. Accordingly I propose to take up the case for a decision whether—

(1) the post should not be open to all candidates irrespective of community;

(2) officers in the permanent service who are duly qualified for the post should not be allowed to apply; and

(3) a further chance should not be be given to suitable Muslim graduates with the requisite qualifications to apply for the post in order to attract better candidates from them.

I will take action according to the decision arrived at.

Message from the Bengal Legislative Council.

The Secretary read the following message received from the Bengal Legislative Council:—

"That the concurrence of the Bengal Legislative Assembly be asked to the Bengal Criminal Law (Industrial Areas) Amendment Bill, 1942, as passed by the Bengal Legislative Council at its meeting held on the 26th February, 1942.

Point of order.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. May I know what you propose to do in regard to the administration of the Assembly Department and the meetings of the Assembly during the absence either within the country or outside, of the Hon'ble Speaker about which announcement was made yesterday. I submit, Sir, that section 65 of the Government of India Act——

Mr. DEPUTY SPEAKER: What is your point of order?

Dr. NALINAKSHA SANYAL: In section 65 of the Government of India Act it is stated that the Speaker and the Deputy Speaker are both to be elected officials of the Legislative Assembly and it is said there that during the absence of the Speaker, the Deputy Speaker will act as the Speaker. I submit that according to that provision of the law, the Deputy Speaker is to function as the full-fledged Speaker during the absence of the Speaker, and it is my apprehension that an attempt may be made to see that the Deputy Speaker is only allowed to preside over the meetings of the Assembly, the administration of the office being left in sombody else's hand. I submit that it will be against the principle——

Mr. DEPUTY SPEAKER: Dr. Sanyal, will you please sit down? You have taken me by surprise. The question does not arise at all at present. The Hon'ble Speaker is still functioning and I am occupying the chair on his behalf. How can I answer off-hand your question? I am not conversant with all the rules and procedure of the House yet. If you want a ruling from me I shall certainly give it later. First of all I have to consult the Hon'ble the Home Minister, and, if necessary, I shall also consult the Advocate-General.

Dr. NALINAKSHA SANYAL: I do not want you to answer my question off-hand. I want you to apply your mind to the question even if you are to give your decision later. I also want the position to be cleared up before the Hon'ble Speaker is permitted to go out of the House or out of the country. I want to make the position clear that the House cannot permit its office to be administered by somebody who is not a member of the House.

Mr. DEPUTY SPEAKER: That is a matter for the House. You are at perfect liberty to do anything you like. The question of Speaker and Deputy Speaker is absolutely a matter for the House. The question will certainly arise, but it is not possible for me to give my ruling

to-day. As I have said I have to consult the Hon'ble Home Minister and also have to take the legal opinion before I come to any decision on this matter.

Dr. NALINAKSHA SANYAL: In that connection, I would also submit, Sir, that if you want to consult the Home Department, you may also examine the question as to what would be the allowance which would be drawn by the Deputy Speaker during the absence of the Speaker and whether he would be given any extra remuneration.

Mr. DEPUTY SPEAKER: Yes.

DEMAND FOR GRANT.

7—Land Revenue.

[The debate on the cut motion of Mr. Ahmed Ali Mridha under the head "7—Land Revenue" was then resumed.]

Mr. SYED ABDUL MAJID: Mr. Deputy Speaker, Sir, I rise to support the motion moved by my friend Mr. Ahmed Ali Mridha. My object is to draw the attention of the Government to the great hardships that are being caused to the tenants by the zamindars in Noakhali and some other districts by the application of the Garnishee Rules under the certificate procedure for the realisation of education cess and road cess together with the arrear rents, etc. The application of the certificate procedure for the recovery of the public demands in the province had been operating very harshly upon the tenants and evoked universal protests against the continuance of the same. There was complaint of bribery and corruption against the machinery through which the demands were realised before. The tenants were much harassed in the various stages of the certificate proceedings so much so that the certificate debtor had to pay not less than double the amount for which the certificate was filed. In response to the demand of the party in power, the then Government suspended the application of the certificate procedure for realisation of revenue due to Government and Court of Wards and at the same time ordered rent suits to be filed in Civil Courts for recovery of their dues. This was going on quite satisfactorily.

Similar provision for realisation of rents by zamindars from the tenants under summary procedure existed in sections 158A to 158AAA of the Bengal Tenancy Act. Many zamindars and even talukdars enjoyed this special privilege of realising rents from tenants under the certificate procedure before the Bengal Tenancy Amendment Act of 1938. Consistent with their policy, the Government of the day while

undertaking legislation for amendment of the Bengal Tenancy Act repealed the whole Chapter containing sections 158A to 158AAA by the Act VI of 1938 by which a special privilege had been given to the landlords to recover rents under the certificate procedure. It must be admitted that the measures taken by the then Government in suspending the operation of the certificate procedure for realisation of the dues of the Government Estates and Courts of Wards as well as in abolishing the special privilege given in the Bengal Tenancy Act to the private landlords, proved extremely salutary and beneficial to the people at large. But although this special privilege which had been given to the private landlords by the Bengal Tenancy Act was thus taken away by repealing sections 158A to 158AAA of the Act, still some of the zamindars are now indirectly enjoying the same kind of privilege to the greatest detriment of the tenants' interest and I will presently show how this is being done under the provisions of the Public Demands Recovery Act. Rules 18A to 18H of the Public Demands Recovery Act ordinarily known as the Garnishee Rules lay down certain provisions for realising rents from the sub-tenants of a certificate debtor. It has now become almost a common practice in the district of Noakhali and elsewhere that the zamindars by making default in payment of road cess and education cess, etc., get Court certificates to be filed by the Collector against them so as to enable them to take advantage of the Garnishee Rules. When the zamindars make default in payment of the road cess and education cess and the Collector files certificates against them for the recovery of the same the zamindars submit a list of the arrear rents, cess and education cess due to them by their respective tenants. The Collector then orders for the issue of certificate against each of the tenants, for the realisation of the arrear rents, cess and education cess. Thus indirectly the zamindars enjoy the benefit of the very same summary procedure under the Public Demands Recovery Act, which was abolished by the Bengal Tenancy Amendment Act VI of 1938. At Noakhali many zamindars such as the Law Zamindars, the Tewari and Trivedy Zamindars, the Karnani Zamindar and many other zamindars have taken recourse to this indirect method for the realisation of the arrear rents from their tenants causing much hardship and inconvenience to the tenants specially at a time when a great distress is prevailing throughout the district owing to the recent cyclone and the serious economic crisis. The Garnishee Rules are not meant to be applied in such cases. The object of these rules is not to assist the defaulting zamindars to realise the arrear rents from the tenants in this way but to provide special facilities to them in extreme cases when they, by honest endeavour, fail to realise the cess, etc., from their tenants and make default in payment of the cess, etc., due to the Government. For the recovery of the cess, etc., due to the State the Collector should take resort to section 99 of the Cess Act but not to the Garnishee

Rules which are very sparingly applied. As a matter of fact application of these rules was quite unknown in Noakhali until recently. It has now become almost a common practice and as a result several thousands of certificates of this nature are now pending in the Certificate Court of Noakhali.

The Garnishee Rules are most detrimental to the tenants' interest in more than one respect. It is considered to be reactionary in character as it is opposed to the most salutary provisions of section 168A of the Bengal Tenancy (Amendment) Act of 1940 also. This section lays down that nothing but the land in arrears can be attached and sold in execution of a decree or certificate for rent. Under the ordinary law, therefore, all the properties of a tenant, both moveable and immoveable, are now immune from attachment in execution of a rent decree of certificate except the holding or tenure to which the decree or certificate relates. But under the Garnishee Rules all the properties of the tenant are liable to attachment and sale; and even his moveables are not immune. Can there be a worse incongruity than this in law? The reliefs which the Government contemplated to give to the tenants by the amendment of the Bengal Tenancy Act as well as by suspending the operation of the certificate procedure have practically been taken away by enforcing the Garnishee Rules in the manner I have already mentioned and the effects of the salutary provisions made in the amendment of the Bengal Tenancy Act are thus being nullified by the frequent and indiscreet application of the Garnishee Rules to the greatest detriment and hardships of the tenants in many districts, especially in Noakhali. The repealing of section 158A from, and enactment of section 168A in, the Bengal Tenancy Act are very popular measures and appreciated everywhere inasmuch as they seek to redress the long-standing grievances of the tenants in general. But when they have just begun to enjoy the benefits under those popular measures, the authorities have thought it fit to deprive them of those benefits in an indirect method. This practice must be deprecated as it is calculated to do the greatest harm to the tenantry of Bengal. With these words, Sir, I support the motion and demand an immediate annulment of the pernicious system of realisation of rent, cess, etc., from the tenants under the Garnishee Rules.

Dr. NALINAKSHA SANYAL: Mr. Deputy Speaker, Sir, I now move that the question be now put.

Mr. DEPUTY SPEAKER: But I must first allow the Hon'ble Minister to make a reply.

Dr. NALINAKSHA SANYAL: Sir, we respectfully request you to permit all the remaining motions to be moved at this stage so as to enable the Hon'ble Minister to make a comprehensive reply dealing with all the subjects that would be raised.

Mr. DEPUTY SPEAKER: Yes, Dr. Sanyal, after the present motion is disposed of, I will allow all the motions to be moved one after another and replied to by the Hon'ble Minister in one speech.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, in this matter I am entirely in the hands of my honourable friends opposite. I would like to answer this particular cut motion first, and then you can follow the procedure you have suggested.

Mr. Deputy Speaker, Sir, I have followed with deep interest the speech made by my honourable friend Mr. Abdul Majid. The position with reference to the garnishee system of realisation appears to be that so far as the rents are concerned, they must realise that this is covered by the amended Bengal Tenancy Act, and so far as the question of realisation pursuant to the application of the certificate procedure is concerned that stands suspended, the garnishee procedure applies only to the recovery of cesses in khasmahal, in the Court of Wards estates and in other estates as well. The matter is covered, as my honourable friend has put it so clearly, by the Public Demands Recovery Act and Rules framed thereunder, that is to say, Rule 18A to Rule 18I of the certificate matter. At present I am perhaps right in stating that the procedure is confined to realisation of arrears of cess. Now, these cesses constitute the background of the revenues of district boards and local boards. Therefore, the question of realisation becomes a question of importance. When my honourable friend referred to some specific points, he first of all referred to the point relating to bribery, corruption and hardship. Well, those are primeval factors, especially in our unfortunate country, and some procedure will have to be devised by the joint wisdom of all my friends on both sides of the House whereby these factors, if not eliminated, may at any rate be effectively controlled; and I shall certainly be very pleased if my honourable friend suggests to me a suitable procedure whereby the desired end on which there can be no two opinions can be achieved. My honourable friend also referred to the case of Noakhali. Well, probably there the hardships have become greater. If that is so, I shall institute a special enquiry on this point.

So far as the garnishee procedure is concerned, I have been told that sometimes when the landlords who are direct debtors are unable to pay because they have debts due and owing to them by their sub-tenure-holders, they direct procedure against them—that probably gives them some relief, but if there are specific instances of hardship, the Revenue Department will certainly consider them.

With regard to the general question of the abolition of this procedure, it is bound up with the question of consideration of the recommendations at any rate of the Floud Commission, and we shall have to take up the whole question of the abolition of the procedure known as the certificate procedure. My honourable friend knows very well that according to Mr. Stuart's report to which reference was made yesterday, Mr. Stuart is not in favour of abolishing the certificate procedure. But the certificate procedure has been suspended during the last four years and we will not revive the certificate procedure unless there are abnormal circumstances or unless the recommendations of the Floud Commission are made acceptable to the House either as a whole or in part or unless there are special circumstances recommending revision of the present procedure. I hope my honourable friend will be good enough to withdraw this cut motion because the Government is bound to consider the cases of hardship with reference to the procedure followed.

Point of privilege.

Mr. SIBNATH BANERJEE: On a question of privilege, Sir. There were some benches on the western verandah for our friends to sit on when they come to see us here. I find that those benches have been removed. It has put our friends who come to visit us here as well as ourselves to a great deal of inconvenience. May I know if it has been done in connection with the A.R.P. work?

Mr. DEPUTY SPEAKER: If you have got anything to say in this matter, I would request you, Mr. Banerjee, to see me in my chamber.

DEMAND FOR GRANT.

7—Land Revenue.

The motion of Maulvi Ahmed Ali Mridha that the demand for grant under "7—Land Revenue" be reduced by Rs. 100, was then put and lost.

Programme of Business relating to Demands for Grant.

Mr. DEPUTY SPEAKER: Now, as regards the programme to be fixed for discussion of other demands for grants, I would like to have the opinion of Dr. Nalinaksha Sanyal and Sir Nazimuddin. For myself what I intend to do is to continue the Demand for Land

Revenue up to 10 o'clock this morning and then to devote 1½ hours for Excise, which I expect to finish to-day. To-morrow I will take up Forest, Registration and Stamp. On the 12th and 13th I will take up General Administration. I have received Sir Nazimuddin's programme also.

Dr. NALINAKSHA SANYAL: I am just consulting Sir Nazimuddin about it.

Mr. DEPUTY SPEAKER: All right.

7—Land Revenue.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that the demand of Rs. 36,22,000 under the head "7—Land Revenue" be reduced by Rs. 100.

Mr. Deputy Speaker, Land Enquiry Committee deals with non-agricultural tenancy. You are aware, Sir, that there was a persistent demand that the non-agricultural tenants living in mofussal towns should not be allowed to be ejected as they are being done now. In view of this the Bengal Non-Agricultural Tenancy (Temporary Provisions) Act, 1940, was passed and received the assent of the Governor on the 13th May, 1940. This was a temporary measure and the life of this Act was only for two years. It was going to expire and it was thought necessary that the Non-Agricultural Tenancy Act should be passed and as a matter of fact for this purpose the Land Enquiry Committee was constituted. A Bill like that was introduced in the last session but we are told in this session that the Bill will not be taken up this session and a Bill will be taken up as soon as possible. We do not know when it will come up but in the meantime it is said that the life of the Non-Agricultural Tenancy (Temporary Provisions) Act will be extended. I may, however, tell the Hon'ble Minister through you, Sir, that the extension of the life of the Non-Agricultural Tenancy (Temporary Provisions) Act will not be effective in giving relief to persons affected. I do not know whether the Hon'ble Minister is aware of the fact that it has been held by the Hon'ble High Court in rulings reported in 45 C.W.N. at page 603 as well as in 45 C.W.N. at page 967 that sections 3 and 6 of the Non-Agricultural Tenancy (Temporary Provisions) Act do not apply to appeal. Unfortunately, in these sections the words "suit or proceeding" occur. We are of course aware of the fact that in previous cases it has been held by the Hon'ble High Court that "suit" includes an "appeal", but unfortunately Mr. Justice Biswas in these two rulings referred to by me held that so far as the Non-Agricultural Tenancy (Temporary Provisions)

Act is concerned "a suit" does not include "an appeal". The result has been as the Hon'ble Minister is probably aware, that many appeals have not been stayed and suits are not necessarily stayed. So by the extension of the Non-Agricultural Tenancy (Temporary Provisions) Act also many suits will not be stayed and decrees will be passed. Sir, I do not know why this Land Enquiry Committee was instituted and why the Government is not contemplating to introduce this Bill in this session. I beg to draw the attention of the Hon'ble Minister to these rulings so that the Temporary Provisions Act might be amended in order to include appeal within the purview of sections 3 and 6 of the Act. That is all I have got to say with regard to Land Enquiry Committee.

Then, Sir, I shall refer to the Rent Enquiry Committee. This Committee was constituted in the year 1938. To-day in the year 1942 we are told that this Committee has not submitted its report. It is really scandalous, to say the least of it. The object of the Rent Enquiry Committee is to reduce rent in those areas where rack-renting prevails. To-day there is a demand from the tenants of Kazi estates and the tenants of Mahendra Roy estates in the district of Tippera. I can tell the Hon'ble Minister that in those areas rack-renting prevails. After enquiry the Board of Revenue said that no amendment need be made of section 112 of the Bengal Tenancy Act. When we say rent must be reduced we are referred to section 112 of the Bengal Tenancy Act. We know what the Government will do. The Government will invest the revenue authority with powers. What we want is not investment of any powers to the revenue authorities; the judiciary must be invested with powers in order to give relief to the tenants who do suffer from rack-renting.

Then, Sir, we are also referred to section 38 of the Bengal Tenancy Act. We know what section 38 is and the Hon'ble Minister is certainly aware of the provisions of that section. In section 38 of the Bengal Tenancy Act, under certain provisions relief can be given to the tenants in a suit instituted by the tenants; but the provisions do not lay down that where rack-renting prevails relief can be given. So section 38 is absolutely ineffective. Therefore, sections 38 and 112 will not give any relief. What is immediately necessary is that the Bengal Tenancy Act shall have to be amended in order to give relief to the tenants who suffer from rack-renting. When we raise the question of any amendment to the Bengal Tenancy Act it is said by Government that in order to make a comprehensive amendment they are taking up the whole matter. But I am quite sure that the whole matter will not be taken up. What is immediately necessary is the reduction of rent where rack-renting prevails and I pray that the Hon'ble Minister will be pleased to introduce immediately a certain section in the Bengal Tenancy Act investing judiciary with power to

give relief not in a suit but on an application made by those tenants who suffer from rack-renting. The Hon'ble Minister will be pleased to state in that section what is meant by rack-renting, what is the rate of rent per *bigha* which will be considered as rack-rent. In my opinion, Sir, where the rate of rent is more than one rupee per *bigha* it should be considered as rack-rent.

With these words, Sir, I move my motion and pray that the suggestions made by me will receive the immediate consideration of the Government.

Khan Sahib HAMIDUDDIN AHMAD: Mr. Deputy Speaker, Sir, I rise to support the cut motion moved by Mr. Dhirendra Nath Datta. There has been a long-standing grievance of the non-agricultural tenants against ejectment and the previous Government justly conscious of the fact appointed a committee of enquiry. Pending report of the enquiry and enacting a permanent legislation the government of the time enacted a temporary law stopping all ejectments and ejectment proceedings. The report of the enquiry committee has been published by the middle of 1941 and the then Government to protect the sufferers hurriedly drafted a Bill and put it in the agenda of the November session to pass it into law. In the mean time with the advent of the progressive Ministers the Bill has disappeared. Nobody knows when that much-expected law will be enacted to save thousands of the tenants of that class from the tyranny of the oppressive landlords. The new Government which exists on the support of all vested interests and landlord as well as zemindar members could not find its way to introduce a Bill giving effect to the recommendations of the committee appointed by the previous Government.

Nobody in this House as well as outside excepting a few zemindars and landlords does deny that the law now governing non-agricultural tenants is not only oppressive but also iniquitous. It is also a fact that originally there was no distinction in the relationship between agricultural and non-agricultural tenancies with the landlord, but, Sir, in the past all the vested interests combined together and by manipulation the non-agricultural tenancies were made a separate class of landownership which had been monopolised by the landlords at the cost of the tenants' security. The committee of enquiry referred to has justly observed that the origin of the present day proprietorship in land in this province was some solemn error and that this has been allowed to prevail too long. The previous Government tried to do away with the same but, Sir, to the misfortune of the people of Bengal those who had all along been opposed to such a change now control the destiny of the province. It reminds me of one cut motion from the Opposition just this time last year. There was a demand from those who now adorn the Government benches to enact a permanent law

stopping eviction of non-agricultural tenants. May I ask these friends, where are they now? Why do they not ask their Ministers to explain why the Bill introduced by the previous Government has been dropped? Is it because they have not yet been able to assimilate their new position or theirs was simply an eye-wash to capture imagination only? Do they realise how many ejectment suits and proceedings were stayed in 1940 and what will be the fate of those unfortunate tenants after May this year? Do they know now that thousands of ejectment notices have been served upon the tenants and with what zeal and enthusiasm the landlords are looking forward to the day when the term of the temporary legislation will expire? It is only natural that misgiving will arise and there are reasons to believe that people are rightly thinking that there has been an unholy combination of the so-called champions of the Krishak-Projas and the landlords. Otherwise how can it be that the Maharaja of Mymensingh together with other representatives of the landholders and all the Nawabs and Princes are supporters of the same Ministry? Their very inactiveness justifies the misgivings. Government must definitely give a clear understanding what they are going to do with the non-agricultural tenancies just after the expiry of the term of the temporary legislation. Their conduct in dropping the Bill deserves condemnation and as such with these few words I wholeheartedly support the motion moved by Mr. Dutta and move the motion that stands in my name that the demand of Rs. 36,22,000 under the head "7—Land Revenue" be reduced by Rs. 100.

Mr. FAZLUR RAHMAN (Mymensingh): Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 36,22,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100.

Sir, in supporting my motion I shall try to impress upon the House that it is a problem of problems of this House to reduce the rent of raiyats of Bengal. I am confident, in this House overwhelming majority desire sincerely that the rent of raiyats and under-raiyats should at once be reduced to a great extent. Ninety per cent. of the population of Bengal outside this House are seriously interested in the reduction of rent. As a matter of fact every party, small or big, has by this time got opportunity to deal with the matter by changing their benches. In spite of all these facilities if we fail in our duties, it will be a matter of great regret and shame to all concerned. Only explaining that we were in favour of reducing rent will not help us in any way. I appeal to all of my honourable friends here, irrespective of any party, who are interested in reduction of rent that it is now high time for us to exert our influence and right to respond to the legitimate demands of the down-trodden mass whom we have the honour to represent. Shifting burden from one shoulder to another at the time

of political speech will not satisfy the hungry mass. We must also remember that by temporary friendship out of selfish motive with the persons of adverse interest we shall have in the long run nothing but disappointment and repentance for failure in our legitimate duties. Let us once more stand firm and united; nobody will be able to stand in our way.

Now let us see what we have done up till now regarding this important question. As a matter of fact, the Hon'ble Minister, now in charge of this department, has come in power very recently. Fairly speaking he can explain his position that he has got very little time to tackle an important matter like this. As for the ex-Minister I must say that with a view to satisfy the wishes of the then Coalition Party, he appointed a committee of which I had the honour to be a member ——(Mr. Abdul Wahab Khan: You are still a member). No, the committee has been dissolved for reasons best known to the authority concerned. I had to enquire into the incidence of rent of Bengal. But unfortunately as soon as we finished our enquiries the then Ministry and the party supporting the Ministry were thrown out of power. Now I do not know what will be the fate of this important question. I appeal to my honourable friends supporting the present Ministry to take up this important question in right earnest. Almost all the members of that Rent Enquiry Committee are still with the Ministerial party. As regards the importance of the question of rent reduction I must say that it is a legitimate claim of the raiyats of Bengal to give immediate effect to the question as early as possible, because the zemindars can by no means claim rents higher than the pargana rate existing in the year 1793. On a perusal of the documents connected with the Permanent Settlement of 1793 and the various regulations enacted at or near about the time of Permanent Settlement, it will be abundantly clear that one of the objects of the framers of Permanent Settlement was to make the rents of the raiyats as permanent as revenue of the zemindars. The Court of Directors in their despacth of September 1792 sanctioning permanent settlement had definitely expressed in the following terms: "It is an object of the perpetual settlement. It should secure to the great body of raiyats, the same equity and certainty as to the amount of their rent and the same undisturbed enjoyment of their fruits of their industry we mean to give to the zemindars themselves." But as there was no clear indication of this object in Regulation I of 1793, the very next year the then Legislature enacted Regulation IV of 1794 by which it was made definitely clear that no proprietor or farmer of land or any other person shall require tenants whose *pattas* may expire or become cancelled under Regulation VIII of 1793, to take out new *pattas* at higher rates than established rates of the Parganas for lands of the same quality and description but the raiyats shall be

entitled to have the *pattas* renewed at the established rates. Regulation IV thus made it clear that no rent could be fixed by any landlord at a rate higher than the established Pargana rate, which was as sacrosanct as the revenue. For various reasons, however, in spite of the provisions of Regulation IV of 1794, the zemindars actually enhanced the rents of raiyats enormously. As a matter of fact they were subsequently in 1885 given legal power of enhancing rent in spite of the opposition by the prominent members of the Rent Law Commissioners Mr. Mackenzie and Mr. O'Kennely, flouting the principle and policy of the framers of Permanent Settlement of 1793 and trampling down the legitimate rights of the deaf and dumb raiyats who had not the tongue to raise a voice of protest against unfair and illegitimate action of the then authority who at that time thought it necessary to satisfy their creatures in this country. Thus we see that there can be no manner of doubt that a grave injustice has been done to the poor raiyats by giving to the zemindars the power of enhancing the rents which was not only not contemplated but definitely forbidden by the framers of the Permanent Settlement. With a view to give immediate relief to the poor and helpless tenants I like to make some concrete suggestion as to how the rent reduction problem may be immediately tackled. My suggestion will be a modest attempt to restore *status quo* without seriously dislocating the existing state of affairs and without causing any undue hardship to the landlords. As a member of the Rent Enquiry Committee I had the opportunity to think over the matter in my humble way. Because of the complications in the rental system in Bengal, I believe this is the best and only way to deal with the matter with a view to give the greatest possible benefit to the greatest possible number of people. My suggestion is as follows: All enhancements made in the rents of raiyats since 1900 A.D. whether by contract or through court, or at the time of transfer or resettlement on whatever ground, except on the ground of any improvement effected by the landlord, should at once by a proper legislation be declared null and void.

I have selected this particular year because it will be possible for us to find out the then existing rate of rent. Of course we can legitimately go up to 1793, but it will not be possible to go so far and to find out the existing rate of rent at that time.

After reduction of all sorts of enhanced rent the existing rent of raiyats should be further reduced by 25 per cent. This reduction of 25 per cent. should not be applied in cases where if so reduced the rent will come down twice the average revenue, nor should it be applied in cases where it will come down below the existing Pargana rate in 1793. I propose this 25 per cent. reduction partly because of the present crisis and partly because of deterioration of fertility of agricultural lands. But I like to include the high rates in and exclude

low rates from the operation of this 25 per cent. general reduction. After applying both the methods just now I have mentioned if it is found that the rate of rent of any raiyat still stands at more than 10 times the average revenue in any particular area,the rent should be reduced to just ten times the average revenue of that area. The benefit of the extremely low revenue should be given to the raiyats also. It is not desirable that the landlord alone should be allowed to enjoy the abnormally high margin between the revenue and rent. All rents of raiyat paid in kind should be commuted to cash rent at the rate of average raiyati rent of the village. Rents of under-raiyats whether paid in cash or in kind must not exceed the average cash rent payable by the raiyat to his superior landlord. Rents of tenure-holders or other intermediaries if affected by such reduction should also be reduced in proportion to the reduction in their assets. I hope the Hon'ble Minister concerned and the party behind him will give a serious consideration to my humble suggestions. If we can reduce the rent in this way, it will be of great help to us in determining the amount of compensation at the time of abolition of Permanent Settlement which in my opinion must go without any further delay. With these remarks I commend my motion to the acceptance of the House.

Mr. NIKUNJA BEHARI MAITI: Mr. Deputy Speaker, Sir, ——

Mr. DEPUTY SPEAKER: Please move all your motions and make one speech of not more than five minutes.

Mr. NIKUNJA BEHARI MAITI: Yes, Sir.

I beg to move that the demand of Rs. 36,22,000 under the head "7—Land Revenue" be reduced by Rs. 100. My intention is to raise a discussion about reintroduction of certificate procedure after suspension in the Khas Mahal areas, Midnapore, while in other parts of Bengal it is suspended.

I beg to move that the demand of Rs. 36,22,000 under the head "7—Land Revenue" be reduced by Rs. 100 The object is to raise a discussion about failure of the Government to give remission of rent to the people of Khas Mahal area, Contai, for the heavy-flooded year of 1347 B.S.

I also beg to move that the demand of Rs. 36,22,000 under the head "7—Land Revenue" be reduced by Rs. 100. The object of my motion is to raise a discussion about the failure of the Government to suspend realisation of the instalments of the agricultural loan from the people of the area where there were heavy floods in both the years 1347 and 1348 B.S. in the district of Midnapore.

Mr. Deputy Speaker, এই তিনটী cut motionএ subject matter যা আছে—আমি সে সম্বন্ধে গত কল্য কিছু বলেছি। কাজেই আমি খুব বেশী না বলে motion No. 9 সম্বন্ধে আমার যা কিছু বক্তব্য তা বলেই শেষ করব। Motion No. 9এ কাথির খাস-মহালেতে certificate প্রথা প্রবর্ত্তনের বিষয় রয়েছে। সেই certificate প্রথা প্রবর্ত্তন সম্বন্ধে আমি একটু অতীত ইতিহাস আলোচনা করে বল্‌ব যে কি রকম ভাবে এই certificate প্রথা কাথিতে প্রবর্ত্তিত হয়েছে। অবশ্য এটা দ্বারা আমি বর্ত্তমান মন্ত্রীদিগকে দায়ী করছি না। ১৯৩৯ সালের জানুয়ারী মাসে তৎকালীন রাজস্ব সচিব স্যার বিজয় প্রসাদ সিংহ রায় মহাশয় মেদিনীপুর জিলায় দীঘা নামক স্থানে গমন করেন। সেখানে তিনি আমার সঙ্গে এবং আমার কতিপয় বন্ধুর সঙ্গে certificate প্রথা প্রবর্ত্তন করা বিষয়ে আলোচনা করেন। আমরা বলি যে কাথির খাসমহালের প্রজার certificate প্রথা চায় না। সেই সময় তথাকার Colletor, Mr. B. R. Sen সেখানে উপস্থিত ছিলেন এবং Subdivisional officer এবং আরও কতকগুলি officer ছিলেন। তাঁরা এই certificate প্রথা প্রবর্ত্তন করতে চেয়েছিলেন। আমরা সেই সময় তৎকালীন মন্ত্রীমহোদয়কে অনুরোধ করি—আপনারা যে বল্‌ছেন, আমাদের দেশের লোক certificate প্রথা চায়—এই যে অফিসাররা বল্‌ছেন—এটা যদি সত্য হয়, তবে আমাদের সময় দিন। আমরা প্রমান করে দেব, দেশের লোক তা চায় না। তাতে তিনি আমাদের সময় দেন পাঁচই ফেব্রুয়ারী পর্য্যন্ত—বলেন, আপনারা জানুন জনসাধারণের কি মত—জানুন তারা certificate প্রথা চায় কিনা। সেই অনুসারে আমরা কাথি খাসমহালের নানাস্থানে সভা-সমিতির আয়োজন করি এবং সভা-সমিতি করতে থাকি। যে সমস্ত জায়গাতে সভা-সমিতি করি, সমস্ত জায়গাতেই প্রজারা, আমাদের বলে যে এই certificate প্রথা তারা চায় না। বর্ত্তমানে যে আকারে certificate প্রথা রয়েছে সেটা তারা চায় না। কিন্তু আশ্চর্য্যের বিষয়, যে দিন তিনি আমাদের কথা দিলেন, সেই দিন সন্ধায় তিনি কাথি গেলেন এবং পরের দিন সকাল বেলায় কতিপয় লোক তার কাছে এল এবং বল্‌ল এই certificate প্রথা ভাল। কি করে এই লোক এল, সে কথা আজ আমি জানাতে চাই। কাথিতে মন্ত্রীমহোদয় এলে পরে তথাকার খাসমহালের অফিসার ও সার্কেল অফিসার প্রভৃতি রাত্রিতে ঐ স্থানের বিভিন্ন জায়গায় গিয়ে সেই সমস্ত স্থানে তাদের অনুগত ব্যক্তি—যারা, তাদের কয়েক জনকে,—রাত্রিতে একটা, দুটা, তিনটার সময় হেটে তাদের বাড়ী গিয়ে খাসমহালের অফিসারের মত ব্যক্তি motor না পেয়ে হেটে তাদের বাড়ী গিয়ে—রাত্রির ঘুম ভাঙ্গিয়ে—তাদের ডেকে নিয়ে এলেন এবং বল্‌লেন—তোমাদের এখানে এবার যে শুকা হয়েছিল, সেই শুকাব খাজনা যদি রেহাই পেতে চাও তাহলে রাজস্ব সচিব কাথিতে যখন এসেছেন তাঁর সঙ্গে দেখা কর এবং বল যে আমরা এই খাজনা রেহাই চাই। আর সঙ্গে সঙ্গে এটা বল্‌লে ভাল হয় যে ঐ certificate প্রথা আবার হলে মন্দ হয় না। তার পরদিন সকাল বেলায় যাদের কয়েকজনকে ঠিক করে আনা হয়েছিল, তারা মন্ত্রী-মহোদয়কে সেই কথা বল্‌লে। সঙ্গে সঙ্গে আর একটা বিষয় হল। প্রত্যেক তহশিলদারকে তারা একটা form লিখে দিলেন। তাদের বলা হল যে তোমরা যাও—প্রজাদের কাছে গিয়ে স্বাক্ষর করে নিয়ে এস—যেন তারা বলে, হ্যা আমরা certificate প্রথা চাই। তারা

বহু ক্ষেত্রে লোককে না জানিয়ে দরখাস্ত পূরণ করে নিয়ে এলো। এই ভাবে লোকমত সংগ্রহ করা হল। পাঁচই ফেব্রুয়ারী পর্য্যন্ত সময় দেওয়া হয়ে ছিল লোকমত সংগ্রহের জন্য, কিন্তু 3rd Februaryতে কাথিতে সংবাদ গেল দেশের লোকরা certificate প্রথা চায় অতএব সার্টিফিকেট প্রবর্ত্তনের অর্ডার হয়ে গেল। আমাদের সঙ্গে পরে যখন রাজস্ব সচিবের এ বিষয়ে কথা হল, তাতে আমরা বললাম আমাদিগকে 5th February পর্য্যন্ত সময় দিলেন। আর 3rd Februaryতে কি করে order হল! তার উত্তরে তিনি বললেন আমি দেবতার দেখা পেয়েছি পুরুতের আবশ্যক কি? তখন আমরা তাঁকে বললাম আপনি কত দেবতার দেখা পেয়েছেন? আপনি যদি দেবতা দেখতে চান, আমাদের সঙ্গে চলুন। তাহলে লক্ষ দেবতা আমরা দেখিয়ে দেব কাথি সহরে, যারা বলবে certificate প্রথা চাই না। এখানেই এই ব্যাপারের যবনিকাপাত হল। বর্ত্তমানে আমরা রাজস্ব সচিবকে অনুরোধ করি যখন বাংলা দেশের অন্যান্য জায়গায় এই প্রথা suspended রয়েছে, তখন এই কাথি খাসমহালের ওপর এটা আর চাপাবেন না। এটা যদি চালাতে হয় তাহলে সব জায়গায় চালান। আর অন্যান্য জায়গায় যদি বন্ধ করা হয় এখানেও বন্ধ রাখুন। কাথি খাসমহালের উপর বিশেষ করে এটা চাপাবেন না।

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Mr. Deputy Speaker, Sir, I shall first of all take up the cut motion moved by my honourable friend, Mr. Dhirendra Nath Datta. My honourable friend has referred to two questions: He has not dealt with the Gratuity Committee: he has dealt with the futility of the Land Enquiry Committee and the Rent Enquiry Committee. I shall first take up the first item,—The Non-Agricultural Lands Enquiry Committee. The Non-Agricultural Lands Enquiry Committee, you have a recollection, was appointed on the 1st August, 1938, for the protection of tenants from eviction at the will of the landlords. Sir, it is true that that Committee had about 21 sittings. It is also true that the Committee submitted its report on the 15th May, 1941. A draft Bill was also prepared on the basis of that report of the Non-Agricultural Lands Enquiry Committee. I have read the report very carefully but I find that the report of the Non-Agricultural Lands Enquiry Committee is not complete. For instance, if you will be good enough to look at page 16, paragraphs 39, 40 and 41, you will see that the Committee could not make up its mind on the question as to whether or not the right to grant sub-leases should be rigidly curtailed. Secondly, it did not come to a conclusion as to whether or not industrial undertakings or lands not immediately required for industrial purposes should receive the benefit of the provisions of the Non-Agricultural Tenancy Legislation, and lastly it suggests that special provisions will be necessary to cover temporary leases such as it is understood are granted by the Calcutta Improvement Trust in the course of carrying out their development schemes. Sir, the present Government which has been in office for a very short time

is considering all these aspects of the question. In the meantime they have introduced a Bill and the Bill, I suppose, was passed by the Upper House for extending the life of the Bengal Non-Agricultural Tenancy (Temporary Provisions) Bill, 1940, by one year. There was an amendment to the effect that its life might be prolonged by 2½ years but I suggested yesterday in the Council that if the life is extended by 2½ years that would introduce an element of lethargy in an otherwise energetic Government.

With reference to the decision of the Hon'ble the High Court referred to in 45-Weekly Notes, pages 603 and 967, I realise fully that the Hon'ble the High Court in the plentitudes of its wisdom has cut down the operations considerably of the Bengal Non-Agricultural Tenancy (Temporary Provisions) Act only to suits and that according to the decision of the High Court the provisions of the Act do not apply to appeals. This is a matter which I take a special note of. (Cries of "Hear, Hear" from the Progressive Coalition Benches.)

Then, Sir, there is the question of the Rent Enquiry Committee. My honourable friend has quite rightly felt sore over it but, as I mentioned to you, Mr. Deputy Speaker, yesterday, the question of reduction of rents in general in Bengal is a question fraught with difficulties but the present Government is not shirking its responsibility in the matter at all. All that we desire is that a report should be submitted by the Rent Enquiry Committee. The Rent Enquiry Committee was——

Mr. SYED ABDUL MAJID: It is not functioning now.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: It has completed its work except that it has not written out its report.

Mr. SYED ABDUL MAJID: But it is not functioning now.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: If it is not functioning now, then I shall take steps to see that it does function and does bring out its own report.

The Rent Enquiry Committee was appointed in August 1940——

Mr. DHIRENDRA NATH DATTA: What expenditure did it entail?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I have not got it. But the Rent Enquiry Committee had twelve sittings and made several tours in the districts of Bengal, the number of districts where it went being four. A considerable amount of money from the public exchequer was spent by it. Government is now awaiting its

report. We want the report of the Rent Enquiry Committee for this reason that according to the report of Mr. Stuart with reference to khas mahal lands, pages 4-5, there are in Bengal certain areas with very high rents. He mentioned Bakarganj, Noakhali, Khulna and 24-Parganas. I do not know why he excluded my district, Burdwan——

Mr. NIKUNJA BEHARY MAITI: And Midnapore also.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Midnapore he mentioned tentatively. I shall quote here the following passage from the Floud Commission's Report, Vol. I, page 100, paragraph 204: —

"Our conclusion, therefore, is that considering the level of rents obtaining in the provinces we have visited the value of the produce and the prevailing economic conditions, there would be justification for enhancements rather than reductions of rent in Bengal. In making this observation, we do not intend to imply that a general enhancement of all rents could be made. There are high contractual rents in Bengal which could certainly not be enhanced, and would even be reduced, if the systems of assessment in force in other provinces were applied to those particular tenancies."

Sir, I am awaiting the report of the Rent Enquiry Committee on these two specific points mentioned in the reports of the two sets of distinguished authorities——

Mr. SURENDRA NATH BISWAS: Cannot that Committee be reconstituted?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Under the law the Committee, I do not think, I am wrong, can be reconstituted by the House but not by Government.

Then, Sir, I have listened to the speeches of Khan Sahib Hamiduddin Ahmed and Mr. Fazlur Rahman and my observations with reference to the non-agricultural tenancies will cover the speech of Khan Sahib Hamiduddin Ahmed.

Then, Sir, Mr. Maiti on behalf of Mr. Mal has raised the question especially about the re-introduction of certificate procedure after suspension in the Khasmahal areas of Midnapore while in other parts of Bengal it stands suspended. I have listened to the narration of the doleful story with interest but Midnapore was in the past constituted as an exception: I hope in future it will be included within the province of Bengal and if that is so, then I hope my honourable friend will have no grievance. I am not interested with his ghosts and gods: in this Legislature we are all gods.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 36,22,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Khan Sahib Hamiduddin Ahmed that the demand of Rs. 36,22,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Fazlur Rahman (Mymensingh) that the demand of Rs. 36,22,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100, was then put and a division taken with the following result:

AYES—35.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Virkampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Metaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abul Hossain Ahmed, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Farhad Raza Chowdhury, Mr. M.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Maguire, Mr. L. T.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Salim, Mr. S. A.
Serajul Islam, Mr.
Suhrawardy, Mr. H. S.
Yusuf Ali Choudhury, Mr.

NOES—115.

Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdul Waked, Maulvi.
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Khan, Mr. Syed.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Azimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakraborty, Mr. Jatindra Nath.
Chakraborty, Babu Narendra Narayan.
Chaudhuri, Rai Harendra Nath.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Edgar, Mr. Upendranath.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Golam Sarwar Hossini, Mr. Shah Syed.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hasan Ali Choudhury, Mr. Syed.
Hassanuzzaman, Maulvi Md.
Hasham Ali Khan, The Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M.B.E.

Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
McPherson, Mr. G. P.
Mafizuddin Ahmed, Dr. (Begra).
Mahtab, Maharajadhiraja Bahadur, Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Manirozzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi M.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukherjea, Mr. Taraknath, M.B.E.
Mullick, Mr. Pulin Behary.
Musharruf Hossain, Nawab, Khan Bahadur.
Mustaqawsal Haque, Mr. Syed.
Naskar, Mr. Hem Chandra.
Nausher Ali, Mr. Syed.
Pettinger, Mr. G. U.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Raikut, Mr. Prasanna Deb.
Ramizuddin Ahmed, Mr.
Roy, Mr. Dhananjoy.
Roy, Kshirod Chandra, Rai Bahadur.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Saifuddin Ahmed, Haji.
Sanaullah, Dr.
Sanyal, Mr. Sasanka Sekhar.
Sarkar, Babu Madhusudan.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Thakur, Mr. Pramatha Ranjan.
Wordsworth, Mr. W. C., C.I.E.
Yousuf Mirza.
Zaman, Mr. A. M. A.

The Ayes being 35 and the Noes 115 the motion was lost.

The motions of Mr. Nikunja Behari Maiti that the demand of Rs. 36,22,000 for expenditure under the head "7—Land Revenue" be reduced by Rs. 100, were then put and lost.

The main motion of the Hon'ble Mr. Pramatha Nath Banerjee that a sum of Rs. 36,22,000 be granted for expenditure under the head "7—Land Revenue" was then put and agreed to.

8—Provincial Excise.

The Hon'ble Mr. UPENDRA NATH BARMAN: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 21,80,000 be granted for expenditure under the head "8—Provincial Excise" during the next financial year.

Sir, this Government have declared total prohibition to be the ultimate goal of their excise policy. As a beginning, sale of liquor was prohibited in the district of Noakhali in the second year of Provincial Autonomy. The measure has proved a success there. Government have now decided to extend partial prohibition in the neighbouring districts of Tippera and Chittagong with effect from 1st April 1942 by abolishing a number of liquor shops as recommended by

the local licensing boards. It has not been considered advisable to introduce all at once large scale prohibition in this province because such measures have not succeeded in other provinces. The object of prohibition has been frustrated in those provinces by the activities of illicit traffickers. (Cries of "Question" from the Congress benches.)

Hasty legislation will not advance the cause of prohibition but on the contrary will retard its progress. Hasty legislation is also likely to affect adversely the social, economic and administrative life of the province. The problem of prohibition has been made more difficult in this province by the fact that nature herself has bestowed on the people materials for intoxication in abundance. *Bhang* grows wild abundantly in some parts of the province. *Ganja* can be grown easily everywhere, *tari* can be drawn direct from the tree, *pachwai* can be manufactured with common rice and yeast and country spirit can be distilled with the help of a simple apparatus with raw materials which are easily available. The problem has also been made more complicated by the existence in this province of foreigners having their own habits. So, for the real success of any prohibition measure, the first step forward must be the mobilization of public opinion against liquor and drugs as well as the suppression of illicit sources of supply. The facts have been recognised by this Government. They have taken steps in the matter by way of film propaganda and the creation of the Civil Defence Department.

Although, however, compulsory prohibition has not been enforced on a large scale, Bengal is ahead in comparison with many other provinces in the matter of temperance. This will be evident from statistics which I now quote: In Bombay excise revenue amounted to Rs. 1,99,16,213—(Mr. DHIRENDRA NATH DUTTA: Which year?). In 1939-40. In Madras the excise revenue amounted to Rs. 3,36,95,742 in 1940-41 and in Bengal it amounted to Rs. 1,74,47,218 in 1940-41.

I may enumerate other measures which have been taken to implement our policy of gradual prohibition: (Dr. SURESH CHANDRA BANERJI: In Bengal it is increasing.) (1) Rates of taxation have been fixed at such a level that neither consumption nor illicit traffic is encouraged; (2) manufacture and wholesale vend are effectively controlled; (3) hours of sale are regulated; (4) new shops are not allowed without the approval of Government and without definite proof of strong local demand and proof that owing to the lack of facilities, consumers are taking recourse to illicit sources; and (5) to control the licensing of places for retail vend, Licensing Boards have been set up throughout the province with officials and non-officials having intimate knowledge of local conditions. Non-officials are in the majority on many of these Boards. With a view to giving public opinion an effective voice in the excise administration these Boards have been vested with certain statutory powers.

Licenses for the retail vend of excisable articles are settled under the fixed fee system, except licenses for the retail sale of *tari* and of *pachwai* in certain areas which are settled by auction. The fixed fee system was introduced with a view to regulating and controlling consumption.

These are the main steps that have been taken by Government in order to regulate the sale of liquor and other sources of intoxicants.

I may also point out that enhancement of duty on opium will account for, to some extent, the increase in revenue from opium. Increased revenue from foreign liquor has been derived by enhancement of wholesale and retail license fees and also by the imposition of transport fee on imported liquor, imported by persons other than licensees. Fees for registration of brands of foreign liquor and revision of rules regarding compounding and blending of foreign liquor also made some contributions

With these words, Sir, I commend the demand for the consideration and approval of the House.

Maulvi HAFIZUDDIN CHOUDHURI: Sir, I beg to move that the demand of Rs. 21,80,000 for expenditure under the head "8—Provincial Excise" be reduced by Rs 100.

Sir, in the absence of any cogent enunciation of policy on this particular budget head I am constrained to draw conclusions from the figures in the budget under this head. There will be an inference of policy suggested by these figures and my criticism will be directed against that policy.

Sir, it is difficult to trace the date when drunkenness first appeared as a dangerous evil in the national life of India. I have here the quotation of a representation to the Government of India by the Indian Temperance Association formed in the year 1887, which says: "Increased facilities for drinking produce steadily increasing consumption and spread misery and ruin among the industrial classes of India, calling for immediate attention of the Government of India with a view to their abatement."

In reply to this, Government of India announced a policy of checking the growing habit of drunkenness by limited place for sale, restricting sale within certain places, and by raising the cost of liquor.

This response on the part of the India Government though not something to enthuse over shows still a tendency to fight the evil in a limited context. It became a provincial responsibility later. The excise policy of last Ministry as enunciated by the then Minister in charge of Excise Department was that the final goal of that policy of the Government was to enforce total prohibition. In pursuance of that

policy Government enforced prohibition in the district of Noakhali. It was certainly a move in the right direction. The present Ministry which has been trumpeted to inaugurate a new era in the life of Bengal associating as it is supposed to do the progressive elements of its political life, has ingloriously failed to improve upon the policy or the practice of the past. Here are the budget figures which will speak for themselves. Total revenue on this head for 1940-41 was Rs. 1,74,47,218, and the revised estimate for 1941-42 is 1,82,00,000 and the budget estimate for 1942-43 is, 1,82,00,000. It is obvious from the above figures that they do not propose to enforce further prohibition. This is contrary to the loud and vociferous speeches of some of the members now in the Government party, from the Opposition Benches in the past. I wonder how their voice could be rendered inarticulate to-day. Sir, for a full comprehension of the problem of drunkenness it is necessary to mention that the disastrous impact of the evil falls mainly on the huge body of industrial workers. It is common knowledge that the industrial labourer spends more than 60 per cent. of his income on alcoholic drink and the inevitable result is poverty, disease and premature death. No healthy national life is possible with this depraved human material. Where are the accredited leaders of the labour movement? How could they silently accept this state of affairs. Their support to this item of the budget will be a flagrant betrayal.

Sir, it may be contended that prohibition is not possible because it deprives the Government of a large item of revenue which, they say, is utilized on nation-building purposes. It is a clear contradiction in itself. How can we build a nation by encouraging a habit which depraves its nationals?

Secondly, it may be argued that prohibition is not feasible because it leads to smuggling and illicit preparation of liquor and to stop that will mean additional expenditure for Government. It is a poor compliment to any Government if it cannot raise the moral standard of its people. No Government worth the name can justify its existence if it cannot fight the criminal evils. The expenditure, however large for the suppression of evils is absolutely essential for the existence of national life and security. No Government can afford to avoid it. The inability to suppress smuggling and things of that sort will be the very definition of anarchy.

I will not be surprised if the Hon'ble Minister in charge of the Department tries to take shelter behind the war screen since to use the expression of the Hon'ble Finance Minister, it is a War budget.

In conclusion, I would like to point out that drunkenness is unhygienic and irreligious. It will be a lengthy and wasteful process to wait for the moral enlightenment of every individual when he will

discard drunkenness by himself. We can immediately help him in his moral evolution by removing the temptation of drinking from his path. The only desirable policy, therefore, for the Government to pursue is to enforce total and immediate prohibition.

With these few words, Sir, I commend my motion for the acceptance of the House.

Mr. CHAIRMAN (Mr. Kiran Shankar Roy): I propose to call upon members to move their motions one by one and then I shall allow a general discussion.

Mr. DHIRENDRA NATH DATTA: Mr Chairman, Sir, I beg to move that the demand of Rs. 21,80,000 under the head "8—Provincial Excise" be reduced by Rs. 100. The object of my motion is to raise a discussion abount policy and failure of the Government in giving effect to the policy of prohibition gradually.

Total prohibition was the goal and gradual prohibition was the accepted policy of the predecessors of the Government now in office. If you look at the revenue derived from provincial excise, you will find that instead of showing signs of decrease it has been increasing. The figures are as follows.—

Year	Revenue.
	Rs.
1938-39	1,59,35,000
1939-40	1,65,28,000
1940-41	1,74,47,000
1941-42 (revised estimates) ...	1,82,00,000
1942-43 (estimates)	1,82,00,000

On page 10 of the Red Book, you will find that the Government hope that the yield from the country spirits is likely to be larger than was originally estimated and they also hope for a similar increase in the year 1942-43. In the year 1939 the revenue derived from the sale of country spirits was Rs. 55,52,000. This year they expect a revenue of Rs. 74,50,000. Thus it will be seen that the revenue is on the increase. The Hon'ble Minister who is in favour of gradual increase in revenue and not gradual prohibition has referred to Bombay and other places where the revenue from excise is much more than the revenue in Bengal. He is certainly right but the question is whether the revenue from excise was increasing or decreasing from 1938. I am quite sure that the revenue in Bombay, Madras and other places has been decreasing. The revenue from provincial excise in Bombay

is much larger than in Bengal because Bombay is an industrial area. We know that the consumption of country spirits by labourers in industrial areas is really much more than in areas where there are no industries. The Hon'ble Minister has also told us that on account of the policy of gradual prohibition they introduced prohibition in the district of Noakhali. In this district the consumption of country spirits was much less because there was no industrial area.

In answer to a question put by me, it was said that in the district of Noakhali the sale of country spirits had been prohibited. The sale of country spirits could be said to be nil, but the sale of *ganja* has not been prohibited in the district of Noakhali.

In answer to a question put by me, viz., whether prohibition would be introduced in the district of Tippera, it was said that prohibition would be introduced in the district of Tippera, but I may tell the House that it has not been introduced up till now. In the opening speech of the Hon'ble Minister we heard from him that prohibition would be introduced in the districts of Tippera and Chittagong. Sir, in answer to a question put by Dr. Sanaullah regarding prohibition in Chittagong, viz., "Will the Hon'ble Minister be pleased to state whether he contemplates introducing prohibition in Chittagong", the Government said that they were introducing partial prohibition in certain parts of the district. Mark the word "partial". The answer is also qualified by the words "in certain parts of the district". I know, I am quite sure, that prohibition would not be introduced in the districts of Tippera and Chittagong as contemplated by the Government, and even if it be introduced at all it will be introduced only in certain parts of the districts and not in the whole of these districts. When a good revenue is being derived from *ganja* and country liquor, prohibition will not be introduced in these directions also in the whole of the districts but only in parts of the districts of Tippera and Chittagong. It is only hoodwinking the people without doing anything substantial in the matter of prohibition. It cannot be said that the last Government was responsible for it. This Government has accepted it and expects a larger revenue from Provincial Excise this year. Why do they expect larger revenue? Is it prohibition or is it an increased revenue from excise, may I ask, which is uppermost in the mind of the Government? It is said, Sir, that prohibition has failed in other provinces. That shows that it will fail here also; that shows that the Hon'ble Minister in charge has not got any definite knowledge about the working of the prohibition in other provinces in India. So, we should not like to be deluded by the Government in this way, but we would ask them to speak plain that prohibition is not in their mind, that there would be no prohibition and that they must derive revenue from the sale of country

spirit. Of course the honourable speakers who preceded me have told this House the lamentable conditions of the trial areas. The Ministers have toured in the district in industrial areas. May I ask why the Government have not introduced prohibition in the district of Howrah? It is well-known there are a large number of labourers in industrial areas who are being ruined for want of prohibition. But Government will not do it because they do not like to introduce prohibition. We have been told that the policy of the present Government will be beneficial to the people at large. So we want the Government to tell us plainly what is their policy in regard to prohibition. It is certain that the Bengal Congress Parliamentary Party has now a share in the administration of the province, and they know that prohibition—total prohibition—is the aim of the Congress. If they have any regard for the ideal of the Congress they must stick to their principle of total prohibition. We strongly feel that prohibition must be made and must be adopted from this year, and the Government must not expect a larger revenue from excise.

With these words, Sir, I support the motion and endorse each and every word of the previous speaker.

Reply to Mr. Sibnath Banerjee's point of Privilege.

Mr. DEPUTY SPEAKER: I may tell Mr. Sibnath Banerjee that the arrangements of benches in the western verandah have been made under instructions from the A.R.P.

Dr. NALINAKSHA SANYAL: May we know, Sir, who are the A.R.P. people? I was given to understand that the A.R.P. is being arranged by the Assembly Department with Wardens of the office itself. The objection raised was with regard to placing of certain benches. May we know who is the A.R.P. officer-in-charge here?

Mr. DEPUTY SPEAKER: I am afraid, that is beside the point. My view is that if the benches are not removed from there and if there is an accident it might damage the persons occupying them.

Mr. SIBNATH BANERJEE: But I expect that there must be some sitting arrangements for those who come to meet us here.

Mr. DEPUTY SPEAKER: It is under contemplation.

Mr. SIBNATH BANERJEE: My suggestion is that benches may be placed behind the baffle walls which have already been constructed; otherwise it will be very difficult for us to talk to our friends who come for hours.

The Hon'ble Mr. M. SHAMSUDDIN AHMED: These are extraordinary times.

DEMAND FOR GRANT.

8—Provincial Excise.

Mr. P. BANERJI: Sir, I beg to move that the demand of Rs. 21,80,000 for expenditure under the head "8—Provincial Excise" be reduced by Rs. 100.

Sir, the previous speakers have given us the figures showing how the revenue of the Government from Excise has increased. The Minister in charge says that prohibition is not feasible—even gradual prohibition is not possible to-day. I could understand such an observation coming from a Minister of the bureaucratic Government who are intent on increasing their revenue from excise and to demoralise our people, particularly in the labour area, by starting liquor shops or country spirit shops. Now that the portfolio has been placed in the hands of a gentleman coming from North Bengal, who was himself before an advocate of prohibition, we thought that prohibition would be given effect to from now on. But today, we are surprised that the Hon'ble Mr. Burman also tells us that prohibition is not possible for the reason that the natural resources and materials for drugs are available in plenty in the countryside. If that is the reason, if that is the policy accepted by Government—I mean, the policy of gradual prohibition—the portfolio should be given to somebody else who can do better in this direction. I could understand the old bureaucratic government—it was their policy to demoralise our people because it was not to their interest to infuse any sense of morality in them. I have personal experience in this matter and I have seen that the policy of the past Government has always been to demoralise this class of people. Now, with the advent of provincial autonomy when the popular Ministers got power, the Ministers in certain provinces, particularly in the Congress provinces, introduced prohibition. But, Sir, it took away our breath when the Hon'ble Minister told us that prohibition was not feasible and that it was not a success in other provinces.

Sir, I must say that a Minister should not betray such colossal ignorance regarding his own department for Bombay, Madras, Bihar

and other provinces have already introduced prohibition. Members from this side—both Praja Party members and members who have seceded from the Congress and joined the Ministerialist Party today—were vociferous in their condemnation and also for the short-sighted policy of the Government and they also said that there must be total prohibition. I must ask them to refer to the papers, for they are public documents, and see what somersaults they have already turned. If it is not up to them to change their policy, I would suggest to them that they should be brave enough to stop the import of wine. Import will be automatically stopped on account of other reasons and that will mean no credit to that side.

Now, Sir, by insistent demand by the Opposition from this side of the House, there was a partial introduction of prohibition in some places, particularly in Noakhali. Why select Noakhali and why not 24-Parganas or Howrah district? They could not do that because that Government was dictated by the Clive Street. Noakhali's income from this source was hardly Rs. 3,000. However, it is regrettable that even this Government which claim to be popular will not take up this new policy but continue the same policy which is very much to be regretted.

Mr. KAMAL KRISHNA ROY: Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 21,80,000 for expenditure under the head "8—Provincial Excise" be reduced by Rs. 100.

Deputy Speaker মহোদয়, আজ যে ছাটাই প্রস্তাব আমি উপস্থাপিত করছি, সেই ছাটাই প্রস্তাব সম্বন্ধে কিছু বলবার পূর্বে একটী কথা স্মরণ হয়—"ন কার্য্য কারণাভাবাৎ" অর্থাৎ কারণ অভাবে কোন কার্য্য হয় না। যে কোন কার্য্য করতে যাওয়া যাক, তার পিছনে কোন না কোন কারণ, কোন না কোন রূপ বর্ত্তমান থাকা চাই। সরকারের শাসন ব্যাপার পরিচালনা একটা ছোট খাট বিষয় নয়—এ কার্য্য একটা বিরাট কার্য্য। তাই এর পরিচালনের মূল কারণও বিরাট হতে হবে। শুধু এই সরকার বলে নয়। যে কোন দেশের সব সরকারের মাঝখানেই দেখতে পাওয়া যায় যে একটা শাশ্বত নীতি আছে। সেই শাশ্বত নীতির মূলে আছে—শাসক ও শাসিতের সম্পর্ক। এবং এই শাসক ও শাসিতের সম্পর্ক চিরদিনই এমনি যে আজ পর্য্যন্ত বোধ হয়, খুব কম জায়গাতে—এক রাশিয়াকে বাদ দিলে—সত্যকার জনসাধারণের প্রতিনিধিমূলক শাসন তন্ত্র বা শাসন প্রথা কোথাও নেই। তাই সাধারণতঃ শাসক ও শাসিতের সম্পর্কের সঙ্গে এই policyর,—এই আবগারী নীতির একটা যোগাযোগ রয়েছে। আবগারী নীতির যোগাযোগ সম্বন্ধে, এই প্রকার শাসক, শাসিতের সম্পর্ক বিষয়ে যা বলছিলাম, সেটা দেখুন। এই আবগারী বিভাগে যে তিনটী বস্তু প্রধানতঃ আছে, সেই তিনটী পার্থিব বস্তুর তিনটী রূপে বর্ত্তমান। আমরা এই পৃথিবীতে দেখতে পাই, কোন একটা বস্তু তিনটী রূপ নিয়ে থাকে। একটা জড় বা কঠিন, আর একটা তরল বা জলীয়; আর একটা বায়বীয় বা বাষ্পীয়। (Mr. Atul

Chandra Sen—আধ্যাত্মিক)—। আবগারী বিভাগের এই তিনটী রূপ হচ্ছে—আফিম, ভাঙ্গ প্রভৃতি, যার রূপ হচ্ছে জড়। Sherry champagne হতে আরম্ভ করে তাড়ি, পচাই পর্য্যন্ত—সে রূপ হচ্ছে তরল বা জলীয় এবং গাঁজা, চরস, চণ্ডু,—এরা হচ্ছে বায়বীয় বা বাষ্পীয়। তার পর দেখুন এই জড়রূপী আফিম। আফিমের মাহাত্ম্য কে অস্বীকার করতে পারে? স্বর্গীয় সাহিত্যসম্রাট বঙ্কিমচন্দ্রের অমর কমলাকান্তের সৃষ্টি হয়েছে এই আফিমের প্রভাবে। এই আফিমের প্রসাদেই না সেই নূতন যুক্তি, সেই অব্যর্থ যুক্তি যার বলে প্রমাণ হয়ে গেল নিঃসন্দেহরূপে যে প্রসন্ন গোয়ালিনী গাভীর মালিক ছিল না,—মালিক ছিল কমলাকান্ত যেহেতু কমলাকান্ত তার দুধ খেত; প্রসন্ন গোয়ালিনী তার দুধ খেত না। তাই আমরা দেখ্‌তে পাই আমরা যাদের জন্ম জন্ম ধরে, পুরুষানুক্রমে এই দেশে বাস, তারা হয় না এদেশের মালিক। হয়—দুধস্বরূপ দেশের ঐশ্বর্য্য যারা ভোগ করে, তারাই মালিক। এমন অকাট্য যুক্তি যা আফিমের প্রভাবে সৃষ্টি করে, সেই আফিম প্রচলন বন্ধ করবার জন্য এক কংগ্রেসের মত দেশ ছাড়া লোক ভিন্ন আর কে বল্‌তে পারে। তার পর সুরা—সর্ব্ব দুঃখহরা এই সুরার কথা কে না জানে। আমরা পৌরানিক উপাখ্যানে দেখ্‌তে পাই—পতিত পাবনী সুরধনী গঙ্গায় স্নান করলে পর নাকি ত্রিতাপ জ্বালা দূর হয়—সেটা কিন্তু পরকালে, ইহকালে নয়। কিন্তু একবার সুরার সুরধনীতে গা ভাসিয়ে দিলে, পরকালে নয় এই ইহকালেই পাঁচ মিনিটের মাঝখানেই সব জ্বালা দূর হয়ে কণ্ঠস্বরে সুরের সুরধুনি খেলে যায়, তাতে ত্রিতাপ জ্বালা যন্ত্রনা ভুলে সে শুধু গেয়ে ওঠে—

"মলয় বাতাসে ভেসে যাব শুধু, কুসুমের মধু করিয়া পান,
ঘুমাব কেতকী কুসুম শয়নে চাঁদের কিরণে করিয়া স্নান।"

যা দারিদ্র্য, দৈন্যের ভিতর এক মুহূর্ত্তের মাঝে, মত্ততার এমন স্বর্গীয় সুখ নিয়ে আস্‌তে পারে, সেই সুরা তার প্রচলন বন্ধ করতে যারা বল্‌বে, তারা বাতুল—তাদের প্রস্তাব বাতিল হয়ে যাবার যোগ্য।

সময় নেই, তা না হলে বল্‌বার অনেক কিছু ছিল।

Mr. SIBNATH BANERJEE: Mr. Deputy Speaker, Sir, I rise to support the motion moved by my friend Mr. Kamal Krishna Roy and also to move the motion that stands in my name, viz., the demand of Rs. 21,80,000 under the head "8—Provincial Excise" be reduced by Rs. 100.

Sir, here is a sample of prohibition. In the year when prohibition was started, namely 1939-40, it is stated in the report that as many as 27 new shops were started—9 for country spirit, 2 for foreign liquor, 6 for *ganja*, 2 for *bhang*, 1 for opium, 3 for *tari* and 4 for *pachai*.

Now, in the very first session of the House in 1937, the Hon'ble Chief Minister said: "Speaking as a Muslim I believe it to be my duty to try and have total prohibition and as a servant of the people I am not worth my salt if I do not try to carry out the mandate of this

House....." I am personally of course very much against bringing religious principles in such matters and I would endorse the view expressed by the speaker on that occasion. He said: "It is desirable that discussion of matters affecting the economic and political life of the people of this country should be carried on on an economic and political plane. Matters concerning religion and religious matters might safely be left out when political and economic questions are discussed." On that very occasion as many as four Hon'ble Ministers took part in the discussion. The Hon'ble Finance Minister said: "It is not right on the part of Government to be a party to organise drinking which leads the people to the path of ruin and destitution." But within one year, i.e., in 1938 when the matter was again discussed the Chief Minister made certain discoveries, and the discovery was that in Bengal the peasants and workers did not drink; it is only the middle class who are addicted to drinking. Perhaps he got this information from the behaviour of his colleagues. I do not know it for certain, but that was a very strange discovery. We know it for certain that in the industrial area there are hundreds of liquor shops and on Saturdays and Sundays when the workers are off, they are kept absolutely drunk perhaps with the idea that they may not feel the pinch of hunger; otherwise they might rebel and upset the apple cart. And that is why they are kept in a continuous state of drunkenness. When the prohibition scheme was introduced, it has been mentioned by several speakers that it was introduced in a district where there was practically no worker. It was a peasant area. Of course in Chittagong there are some workers in Pahartoli but it is a case of partial prohibition there. Most probably that area has been excluded. Why? If they are keen on introducing even partial prohibition, why should they not start it in Howrah and Hooghly? It has been mentioned by several speakers that there have been several interjections about Howrah and probably also about Hooghly, but these are the two areas where the largest number of workers, apart from the 24-Parganas, live and work and, therefore, if Government is at all sincere they should try at least one of these two districts to introduce prohibition.

Now, Sir, the facts for 1937 have already been given by several speakers. I would only like to add a few more from 1934-35 up to this year. Year by year there has been increase. It is true that the increase has not been very great. For the last five years in the Red Books we always find at the end of "Provincial Excise" some cryptic and laconic remarks, e.g., "The variations are small and call for no comment" and that is our grievance. The variations should have been large and we want reduction and not increase. There have been nearly 10 per cent. variations every year, but always there has been an increase and not decrease since 1937 or even from an earlier period. This year the remark is:- "Increase is due partly to the grant to the

low-paid employees of a dearness allowance at the rate of Re. 1 per head." Even that could not be compensated by any prohibition that they are contemplating. Therefore, the decrease is due mainly to the reduction, not of consumption of opium but of its cost price. No credit is even claimed by Government that due to their prohibition policy there is any decrease whatsoever. Now, I would only request the Hon'ble Minister to note that this is so, not for one year only, for the last five years it has been going on.

(At this stage the member reached his time-limit but was allowed to speak for half a minute more.)

In five years' time there has been prohibition in one small district only. If we are to go on at this rate, it will take more than 150 years to have total prohibition in this province. I hope that the Hon'ble Minister will speed up.

Mr. A. M. A. ZAMAN: মাননীয় ডেপুটী স্পীকার মহোদয়! আজকে এই prohibition নিয়ে যে বক্তৃতা চলেছে সেটা সত্যই দুর্ভাগ্যের বিষয়। এ সম্বন্ধে একটা জিনিষ প্রথমেই মনে পড়ে। এক নদীতে সকাল বেলা এক সাধু স্নান ক'রতে গিয়া দেখেন, অপর পারে আর এক ঘাটে আর একজন লোক তাড়াতাড়ি স্নান ক'রে চ'লে যাচ্ছে। সাধু মনে ভাবলেন আমি সারারাত তপ জপ করেছি, তার চেয়েও বেশী বোধ হয় ও ক'রেছে, তাই তাড়াতাড়ি স্নান কোরে যাচ্ছে। ওপারে যে স্নান কর্‌ছিল সে লোক সমস্ত রাত্রি চুরি ক'রেছে; কোরে স্নান কর্‌বে আর মনে মনে ভাব্‌বে যে টাকার বন্দোবস্ত ক'র্‌তে হবে, গুণ্‌তে হবে, বাজার কর্‌তে হবে। তাই তাড়াতাড়ি কোরে ডুব দিয়ে চলে যাচ্ছে। ও কিন্তু মনে ক'রবে ওপারে যে স্নান করচে ও বোধ হয় বেশী টাকা চুরি কোরেছে এবং খুব বড় লোক হয়ে গেছে। সে আস্তে আস্তে মনে মনে গুণ্‌চে আর ভাবচে কিভাবে টাকার বন্দোবস্ত কর্‌বে, সেইজন্য তাড়াতাড়ি না করে আস্তে আস্তে স্নান কর্‌ছে। আজ আমার বন্ধুগণ যারা Oppositionএ বয়েছেন তাঁদের দেখে মনে হয় যে তাঁরা দুর্যোগের মাঝখানে যেভাবে দাঁড়িয়ে বক্তৃতা কর্‌বেন তাতে মনে হয় যে তাঁরা যেন ওপারের সেই লোক। গত ৪॥ বৎসর তাঁরা এদিকে ছিলেন, ওঁদের হাতে power ছিল; আমরা ৪॥ বৎসর চীৎকার ক'রেছি যে মদ তুলে দিতে হবে, গাঁজা তুলে দিতে হবে, আর ঐ রকম সমস্ত জিনিষ তুলে দিতে হবে; ওঁরা তখন সেটা লক্ষ্য করেন নি, লক্ষ্য কর্‌তে পারেন নি। তার কারনও ছিল। তাহ'লে যে গ্রেট ইষ্টার্ণ হোটেল প্রভৃতি বড় বড় হোটেলে যে ডিনার বন্ধ হয়ে যায়, আর ডিনারের পরে যে লাল জল দরকার তা না হ'লে চল্‌বে কি কোরে? কিন্তু আজ সর্ব্বশক্তিমানের কৃপায় সেই জলের ঢেউ যখন কমে গেছে তখন ত একটু চীৎকার কোরে বল্‌তে হবে; আর যদি এই গ্লাসের বন্ধের জন্য চীৎকার না করে তাহলে ভাত থাক্‌বে না, আর গ্রেট ইষ্টার্ণ হোটেল বা ফাল্‌রপো বা অন্য হোটেলে যাওয়া মুস্কিল হয়ে পড়্‌বে। কাজেই আজ যখন বাটপারীর নগদানগদি কমে গেছে তার জন্য এত তাড়াতাড়ি চীৎকার

কর্‌চে। ওঁদের জানা উচিত ছিল যে গত ৪॥ বৎসর চীৎকারের পর মাত্র ওঁরা বলেছিলেন যে এবার আমরা চেষ্টা কর্‌ব, কেন না তাঁরা ভেবিছিলেন যে ইলেকশন বোধ হয় এই ইয়ারেই হবে। কাজেই ইলেকশনের আগে যদি আমরা কিছু কাজ না করি তাহ'লে কি কোরে পাব্‌লিকের কাছে গিয়ে দাঁড়াব বিশেষতঃ মুসলমান হয়ে যখন মোস্‌লেম লীগের নাম কোরে যাচ্চি? কাজেই সেই দিক দিয়ে ওঁরা সবাই ব্যস্ত ছিলেন এবং সেই জিনিষটা দেখ্‌তে পাই ওঁদের আলোচনায়। এই সমস্ত জিনিষ যে ওপারের সাধুর তাড়াতাড়ি স্নান করবার মত এটা ওদের জেনে রাখা দরকার। আর এই যে গভর্ণমেণ্ট—এ গভর্ণমেণ্ট কতদিন হ'ল পাওয়াবে এসেছে? বাজেট আরম্ভ হওয়ার কিছু দিন পূর্ব্বে মাত্র—একথা ত ভুল্‌লে চল্‌বে না। আপনারা বাহিরে চীৎকার ক'রতে পাবেন তাতে সে জিনিষটা ঢাকা পড়বে না কেন না মাত্র ১৫ দিন সময়েই চট্টগ্রামে ও নোয়াখালীতে মদ বন্ধ হয়েছে, এবং ত্রিপুরাতেও দেখ্‌তে পাই যে ১০টা দোকান বন্ধ হয়েছে, আর অন্যান্য জায়গায় বন্ধ করবার জন্যও তৈরী হয়ে আছেন। কাজেই আপনারা একটু ধীর স্থির ভাবে চিন্তা ক'র্‌বেন, সমস্ত জিনিষটা বুঝ্‌বেন, আর আপনারা ওপারের সাধুর মত ভাব্‌বেন না যে এও বুঝি সমস্ত রাত্রি ঘুমায় নি। আপনারা এই ৪॥ বৎসর যে কাজ ক'রেছেন তার কৈফিয়ত দিতে হবে, এই সামান্য ২ দিনের চীৎকারে সে চুরি ঢাকা পড়বে না। একথাটা আপনাদের মনে রাখা দরকার। আজকে খাঁ বাহাদুর আমিরুদ্দীন সাহেবের দরদ ফুটে উঠেছে (a voice—খাঁ সাহেব) যা হোক্ আমি খাঁ বাহাদুর বলেছি, যদি হয়ে যান। কাজেই ওঁর দরদ বেশী মনে হচ্চে। কিন্তু খাঁ বাহাদুর হলে' দরদ এ দিকেই একটু বেশী হ'ত। ওঁকে আমি অনুরোধ কর্‌তে পারি কি যে এই হাউসে বক্তৃতা দেবার পূর্ব্বে উনি যে তথাকথিত মোস্‌লেম লীগ পার্টির লোক, সেই পার্টির লোক-দের নিকট বক্তৃতা করে আসা উচিত ছিল যে হে বন্ধুগণ! আর কখন লাল জলের পিছনে যেও না? যদি এসে থাকেন তাহলে ওঁকে ধন্যবাদ দিচ্চি। না আস্‌লে একবার অনুরোধ কর্‌ব যান ফিরে যান, ফিরে যাবার সময় এসেছে। অন্য দিকে এই যুদ্ধের দরুণ জাহাজ চলাচলের যে অবস্থা তাতে শেষ মুহূর্ত্তে বা আপনাদের এদেশীই বা ব্যবহার কর্‌তে হয়। ওপারের বন্ধুদের জানাইয়া দিতে চাই যে আমাদের এ পারে লাল গ্লাসের একটিও লোক নাই কাজেই আমরা সকলেই মদ, গাঁজা ও অন্যান্য এই ধরনের জিনিষ বন্ধ করার পক্ষপাতী। কাজেই আমরা যে সাধু এ পারের লোক এ প্রথমে আপনাদের জানা উচিত। আর আপনাদের বলে দিচ্চি যে আমাদের ত কোন কিছুর ঝনঝনা নাই, যা কিছু আপনাদের আছে। তার জন্য বার বার কোরে বলে দিচ্চি যে গিয়ে বলুন যে হে বন্ধুগণ! সময় সঙ্কীর্ণ, ওটা বন্ধ করুন, এবং বন্ধ কোরে আর যেন ওদিকে যাবেন না।

Dr. ABDUL MOTALEB MALIK : মাননীয় সহকারী সভাপতি মহাশয়, আমার পূর্ব্ববর্ত্তী বক্তা যা ব'লে গেলেন এবং এ সেসনে যেভাবে বাজেটের বক্তৃতা চলেছে তাতে মনে হয় এবারকার সেসনে বাজেট সম্বন্ধে কিছু আলোচনা করা বৃথা। কারণ প্রত্যেক ব্যাপারে যদি এই অজুহাত দেওয়া হয় যে, আগেকার গভর্ণমেণ্ট এটা ক'রেছেন, আগেকার গভর্ণমেণ্ট এজন্য দায়ী—

Mr. DEPUTY SPEAKER: I would request you not to make any reflections on the discussion which has taken place so long in this House. You please go on with the subject matter of the motion under discussion.

Dr. ABDUL MOTALEB MALIK : আমি শুধু বল্‌তে চেয়েছিলাম এইটুকু যে আমরা যদি কখন বাজেট সম্বন্ধে আলোচনা ক'রতে কোন মন্ত্রীর সম্বন্ধে কিছু বলি তাহ'লে বলা হয় গভর্ণমেণ্ট, গভর্ণমেণ্ট সম্বন্ধে কিছু বল্‌তে গেলে বলা হয় মন্ত্রীদের বিষয়ে। কাজেই আমি বলতে চাই এই যে, মন্ত্রীদের আমি কিছু বল্‌তে চাই না, গভর্ণমেণ্টকেও কিছু বলতে চাই না। আমাদের ভূতপূর্ব্ব প্রধান মন্ত্রী মহাশয় একবার সেই "Devil of the Tamarind Tree"র গল্পটা বলেছিলেন। আমার মনে হয় সেই devil of the tamarind treeর influenceএর মধ্যে তিনি রয়েছেন। কাজেই এই বাঙ্গলাদেশে রাজত্ব করবে সেই devil of the tamarind tree. তার কাজ সেই devil of the tamarind treeর Excise Departmentএর মাধ্যমে দেখ্‌তে পাচ্চি। পূর্ব্ববর্ত্তী বক্তাগণ সব বিষয় ব'লে দিয়েছেন, আমি একটী বিষয়ে ব'লে শেষ ক'র্‌ব।

মাদকতার মোহে আমরা যেন ভুলে পড়ে আছি, আর ঠিক সেই রকমভাবে আমাদের নিজের শারীরিক বা সামাজিক প্রত্যেক অণুপরমাণুটা ঐ মদের নেশায়, মদের বিষে জর্জ্জরিত হচ্চে সে কথা সম্পূর্ণ ভুলে গিয়েছি। চিকিৎসাক্ষেত্রে স্পিরিটের দরকার হয়ে থাকে, আমাদের বাজেটে মেডিসিনাল ড্রাগসের উপর ডিউটী আছে। spirited medication যে-গুলো অর্থাৎ যেসব ঔষধে alcoholএর প্রয়োজন আছে সেগুলির উপরও একটা duty আছে। আপনারা শুনে আশ্চর্য্য হবেন যে, tincture iodine এক আউন্স সামান্য চার পয়সায় পাওয়া যেতে পার্‌ত যদি তার উপরে duty স্থাপিত না হত। সেটা আমরা শুধু এদিককার হাউসে নয়, ওদিককারও সেটা ।০ আনায় কেনেন। Port Wine যে জিনিসটা নাকি স্বাস্থ্যভঙ্গের পর ব্যবহার করা হয়, এবং যার বোতলের দাম ৭৲ টাকা সেটায় যদি duty বসান না হ'ত তাহলে ২৷৷০/৩৲ টাকায় পাওয়া যেত। এই রকম-ভাবে প্রয়োজনীয় ঔষধীয় জিনিষ প্রত্যেক হিংচার বা স্পিরিট বা মেথিলেটেড্ স্পিরিট যে মেথিলেটেড স্পিরিটের উপর ট্যাক্স তুলে দিলে ⁄০ আনা, ৵০ আনায় বিক্রী হ'ত সে এখন ।০ আনা ।⁄০ আনায় বোতল বিক্রী হয়। অবশ্য এদিক দিয়ে কোন suggestion দেওয়া বৃথা। যেরকমভাবে আমরা উত্তর পাই তাতে মনে হয় যে ভাল suggestion দিলেও সেই devil of the tamarind tree সেটা গ্রহণ কর্‌বে না। আমি শুধু বল্‌তে চাই আমাদের এই মোস্‌লেম লীগের কথা। যদি আপনারা সেকথা সত্যই গ্রহণ না করেন, তবে আমাদের বন্ধু যাঁরা আমাদের ডান দিকে বসে আছেন, যাঁরা আপনাদের সহযোগিতা কর্‌বেন বা ক'রেছেন তাঁরা যে demandগুলি কর্‌বেন দয়া কোরে, সে-গুলি গ্রহণ করুন, আমাদেরটা নাই বা ক'রলেন। আর আমার প্রস্তাব হচ্চে এই যে, Exciseএর খাতে ঔষধের উপরে, spirited medicineএর উপরে হিংচারে ইত্যাদির উপরে বা spirit camphorএর উপরে যে সমস্ত ট্যাক্স বা ডিউটী আছে সেগুলি অচিরে উঠিয়ে দেওয়া গভর্ণমেণ্টের নিতান্ত প্রয়োজন। এইভাবে হবে কি? ঔষধের

দাম বাজারে অনেক কমে যাবে। Alcoholএর দাম কমে গেলে সঙ্গে সঙ্গে যে ঔষধে তা লাগ্‌ত সেটার দাম কমে যাবে। আমি গভর্ণমেণ্টের দৃষ্টি এদিকে আকর্ষণ করচি।

তার পরে prohibitionএর কথা—আমার পূর্ব্ববর্ত্তী বক্তারা যা ব'লে গেছেন সেটা শুন্‌লে মনে হয় এই যে কোন ছেলে, যে হয়ত কোন দিন ধূমপান করেনি, তাকে যদি বলা যায় যে, এ ভাবী ভাল ছেলে, ধূমপান করে না, ঠিক সেই রকম ব্যবস্থা তাঁরা ক'রেছেন prohibitionএর জন্য। নোয়াখালী জেলা, যেখানে এত বেশী সংখ্যায় মুসলমান এবং যাদের ধর্ম্মীয় বিধিতে মদ ছোঁয়া নিষেধ, মাদক দ্রব্য ছোঁয়া নিষেধের কথা বলে সেখানে prohibition কোরে দেখান হচ্চে যে, আমরা মস্ত বড় একটা কাজ করেছি। কিন্তু আমি বল্‌তে চাই পূর্ব্ববর্ত্তী বক্তারা যা বলে গেছেন যে, পশ্চিম বঙ্গে আসুন, industrial areaতে আসুন, সেখানে সত্যই দেখা যাবে যে, আপনারা কি করতে চান। গত মন্ত্রীরা যা কোরে গেছেন, আমি স্বীকার কর্‌চি যে, তাঁরা ভুল কোরে গেছেন—কিন্তু বাজেটে কি একথা বলায় পাপ আছে, এই মন্ত্রীদের মনের কথা বলায় পাপ আছে যে, তাঁরা যা কোরে গেছেন আমরা সেটা undo ক'রতে চাই এবং আমাদের এই উদ্দেশ্য? এতে ভবিষ্যতের সম্বন্ধে কোন ইঙ্গিত করা হয় নি।

The Hon'ble Mr. UPENDRA NATH BARMAN: Mr. Deputy Speaker, Sir. The Government of the present day have been charged with want of policy, and the irony of it is that this charge has been made by Maulvi Hafizuddin Chaudhuri, and the debate from that side has been concluded by Dr. Abdul Motaleb Malik. Both of them belong to the Muslim League and only 2 months ago they represented the Government that carried on the administration and also guided the policy on Excise matters for 4½ years. I cannot understand how they can charge the Government of the present day with any want of policy. It does not fall with any grace from the mouth of those who have supported the policy of the previous Government. The present policy is their policy because this Government had not had time to deviate from the old policy and launch anything new. They have based their criticisms on the figures of the budget, but I submit that this budget has been framed on the revised estimates of the year 1941-42, the entire portion of which was administered by the then Government which now represents the main opposition, I mean the Muslim League. So they cannot find fault with the figures of the present budget which has been based upon the figures which have been taken from the period of their administration. But I have to deal with the criticisms that have been levelled against the Government from the Congress Benches. Sir, from my opening speech the members from that group might have concluded that we have followed and we shall follow the policy of the past Government. It may tell them that this Government is not going to do so.

Sir, total prohibition was the policy of the past Government and total prohibition is also the policy of the present Government. But

while the previous Government in the name of total prohibition did almost nothing to give effect to that policy, this Government is going to take up that work in right earnest——

Mr. DHIRENDRA NATH DATTA: Then why did you not introduce it in Chittagong and Tippera?

The Hon'ble Mr. UPENDRA NATH BARMAN: I have already said in my opening speech that we are going to stop ten shops in the district of Tippera out of a total of fourteen. But I must tell my friends opposite that immediate total prohibition which is their claim is not a feasible measure at all. (Loud noise and cries of "Oh! Oh!" from the Opposition Benches.)

Mr. DEPUTY SPEAKER: Silence, please. The Hon'ble Minister must be allowed to speak without disturbance.

The Hon'ble Mr. UPENDRA NATH BARMAN: I may tell them this much that this Government will give effect to prohibition as much and as fast as possible. Considering the difficulties that lie ahead it does not sound well to urge for immediate total prohibition. I would humbly ask my honourable friends over there to consider whether total prohibition can be introduced all at once. It has not been successful even in some of those provinces where it had been already introduced. But I can assure the House that Government will push on in right earnest with the policy of prohibition and will, wherever possible, close down shops and will also see that no new shops are started. We will apply our mind most earnestly to this very important question and I hope we will be able to do something substantial.

The motion of Maulvi Hafizuddin Choudhuri that the demand of Rs. 21,60,000 for expenditure under the head "8—Provincial Excise" be reduced by Rs. 100 was then put and a division taken with the following result:—

AYES—48.

Abdul Aziz, Maulana Md.
Abdul Hadi, Mr. Mirza.
Abdul Hakim Vikrampori, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rashed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abul Hosain Ahmed, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Banerji, Mr. P.
Das Gupta, Dr. J. M.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Farhad Hasa Chowdhury, Mr. M.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).

Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jainuddin Ahmad, Khan Bahadur Maulvi.
Maiti, Mr. Nikunja Behari.
Maniruddin Akhand, Maulvi.
Mohammad Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K.C.I.E.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Salim, Mr. S. A.
Sanyal, Dr. Nalinaksha.
Sen-Gupta, Mrs. Nellie.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Yusuf Ali Choudhury, Mr.

NOES—101.

Abdul Hafiz, Mr. Mia.
Abdul Hamid Shah, Maulvi.
Abdul Wahab Khan, Mr.
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Khan, Mr. Syed.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Asimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prasad.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Babu Narendra Narayan.
Chaudhuri, Rai Harendra Nath.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Edber, Mr. Upendranath.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Golam Sarwar Hossini, Mr. Shah Syed.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hamilton, Mr. K. A.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, The Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kawas Jah Syed.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
McPherson, Mr. S. P.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul, Hosain, Mr.
Mohsin, Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C.I.E.
Moslem, Ali Mollah, Maulvi M.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukerjea, Mr. Tarahnath, M.B.E.
Mukherji, Dr. H. C.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, Nawab, Khan Bahadur.
Mustagawsai Haque, Mr. Syed.
Nasker, Mr. Hem Chandra.
Pettinger, Mr. G. U.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Dhananjoy.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Saifruddin Ahmed, Haji.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Nanda.
Stark, Mr. A. F.
Thakur, Mr. Pramatha Ranjan.
Yeasuf Mirza.
Zaman, Mr. A. M. A.

The Ayes being 48 and the Noes 101, the motion was lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 21,80,000 for expenditure under the head "8—Provincial Excise" be reduced by Rs. 100 was then put and a division taken with the following results:—

AYES—48.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rasehid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abul Hosain Ahmed, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Banerji, Mr. P.
Das Gupta, Dr. J. M.
Datta, Mr. Dhirendra Nath.
Deiui, Mr. Harendra Nath.
Farhad Raza Chowdhury, Mr. M.
Faziul Quadir, Khan Bahadur Maulvi.
Faziur Rahman, Mr. (Dacca)
Faziur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Maiti, Mr. Nikunja Behari.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K.C.I.E.
Roy, Mr. Kamakhrishna.
Roy, Mr. Kiran Sankar.
Salim, Mr. S. A.
Sanyal, Dr. Kalinaksha.
Sen-Gupta, Mrs. Nellie
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Tamizuddin Khan, Mr.
Yusuf Ali Choudhury, Mr.

NOES—99.

Abdul Hafiz, Mr. Mia.
Abdul Hamid Shah, Maulvi.
Abdul Wahab Khan, Mr.
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abu Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Khan, Mr. Syed.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Asimuddin Ahmed, Mr.
Azhar, Ali, Maulvi.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Promhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Babu Narendra Narayan.
Chaudhuri, Rai Narendra Nath.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Manmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Faziul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Golam Sarwar Hosaini, Mr. Shah Syed.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hamilton, Mr. K. A.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, The Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemaily Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
McPherson, Mr. G. P.
Maji, Mr. Advaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.

Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul, Mr. Hosain.
Mohsin, Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi M.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukherjea, Mr. Taraknath, M.B.E.
Mukherji, Dr. H. C.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nasker, Mr. Hem Chandra.
Pottinger, Mr. G. U.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Dhananjoy.
Roy, Mr. Manamtha Nath.
Roy, Mr. Patiram.
Sanyal Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Thakur, Mr. Pramatha Ranjan.
Yousuf, Mirza.
Zaman, Mr. A. M. A.

The Ayes being 48 and the Noes 99, the motion was lost.

The motion of Mr. P. Banerji that the demand of Rs. 21,80,000 for expenditure under the head "8—Provincial Excise" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Kamalkrishna Roy that the demand of Rs. 21,80,000 for expenditure under the head "8—Provincial Excise" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Sibnath Banerjee that the demand of Rs. 21,80,000 for expenditure under the head "8—Provincial Excise" be reduced by Rs. 100, was then put and lost.

The main motion of the Hon'ble Mr. Upendranath Barman that a sum of Rs. 21,80,000 be granted for expenditure under the head "8—Provincial Excise" was then put and agreed to.

Adjournment.

The House was then adjourned at 11-35 a.m. till 8-30 a.m. on Wednesday, the 11th March, 1942, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 11th March, 1942, at 8-30 a.m.

Present:

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 9 Hon'ble Ministers and 202 members.

STARRED QUESTIONS

(to which oral answers were given)

Arrest of Muslims at Barisal.

*126. **Mr. FAZLUR RAHMAN:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether a number of Muslims were arrested on the 11th January, 1942, at Barisal; and

(*ii*) whether a number of them were confined in *hajat*.

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the number of the Muslims that were arrested;

(*ii*) the number of them that were confined in *hajat*; and

(*iii*) the measurement of the *hajat*?

(*c*) Will the Hon'ble Minister be pleased to state the reasons for such arrests and confinement in the *hajat*?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) (*i*) Yes.

(*ii*) No.

(*b*) (*i*) 45.

(*ii*) and (*iii*) Do not arise.

(*c*) They were arrested for committing an offence under section 295, Indian Penal Code (defiling a mosque).

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state whether these persons were kept confined in the thana or the lock-up?

The Hon'ble Mr. A. K. FAZLUL HUQ: They were not kept confined anywhere.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state where they were taken after the arrest if they were not kept confined in the *hajat* or lock-up?

The Hon'ble Mr. A. K. FAZLUL HUQ: The honourable member is aware that all persons after arrest are taken to certain police-stations and not confined anywhere.

Mr. ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state how long these arrested persons were kept under detention after the arrest?

The Hon'ble Mr. A. K. FAZLUL HUQ: After they were arrested the following particulars were taken down—their names, their fathers' names, their residences, their occupations and their statements—and after that they were let off with a warning.

Mr. ABUL HOSAIN AHMED: Will the Hon'ble Minister be pleased to state the nature of the defilement of the mosque?

The Hon'ble Mr. A. K. FAZLUL HUQ: I answered this question yesterday, and I repeat once again the nature of the defilement, namely that they got upon the mosque and interfered with the persons who were attending the mosque for prayer.

Mr. H. S. SUHRAWARDY: Will the Hon'ble Minister be pleased to state if the allegation that 29 of them were kept confined in *hajat* is a fact or not?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is true that such an allegation has been made, but on enquiry I am told that it is not correct.

Mr. H. S. SUHRAWARDY: The allegation is that one of them also fainted in that *hajat* because the *hajat* was meant only for 4 persons and 29 of them were kept confined in it.

The Hon'ble Mr. A. K. FAZLUL HUQ: This is the first time that I hear of it, and if necessary I shall make an enquiry.

Khan Bahadur MOHAMMED ALI: Just now the Hon'ble Minister said that these persons were let off with a warning. Will the Hon'ble Minister be pleased to state who gave the warning—the Police officer or the Magistrate?

The Hon'ble Mr. A. K. FAZLUL HUQ: Of course the Magistrate was there. They were given the warning by the Magistrate and let off.

Arrest of Muslims under the Defence of India Rules.

*127. **Maulvi MAFIZUDDIN AHMED:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) the number of Muslims arrested, interned and externed under the provisions of the Defence of India Rules in Bengal since the assumption of office by the present Ministry;

(*b*) the number of them that are (1) students and (2) Alims; and

(*c*) their numbers referred to in (*a*), district by district?

The Hon'ble Mr. A. K. FAZLUL HUQ: Attempts will be made to collect the informations wanted but they will necessarily involve time.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state when the information may be made available to the members of the House?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not think it is possible for me to answer that question. How can I say that? I can only try and expedite.

Mr. ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether the persons referred to in the question were dealt with under the Defence of India Act for their arranging black flag demonstrations against the arrival of the Hon'ble Minister and his colleagues?

The Hon'ble Mr. A. K. FAZLUL HUQ: I can say nothing till I get the information I want.

Dr. NALINAKSHA SANYAL: Sir, in view of the reply given by the Hon'ble Minister, may I suggest that the question be taken as held over?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have no objection.

Serving of notices on certain persons of Sonaimuri, Noakhali.

*128. **Mr. SYED ABDUL MAJID:** Will the Hon'ble Minister in charge of the Home Department be pleased to state the reason for which 9 persons of Sonaimuri have been served with notice by the District Magistrate of Noakhali on the 17th of January, 1942, to show cause why they should not be prosecuted?

The Hon'ble Mr. A. K. FAZLUL HUQ: In order to allow them an opportunity of showing cause against prosecution for activities of a prejudicial nature and likely or intended to cause a breach of the peace, a disturbance of the public tranquillity and the exacerbation of communal feeling.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state what are the activities of these persons which are considered to be of a prejudicial nature mentioned in the reply?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have already said in the reply that the activities of a prejudicial nature are those likely to cause a breach of the peace, to disturb public tranquillity and to exacerbate communal feeling.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state if it is not a fact that no meeting was held in Sonaimuri at that time?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware of that. If necessary, I shall make an enquiry.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister be pleased to state whether it is not a fact that notices were served on those persons only to terrorise them in order that they may not make any black flag demonstration on the occasion of the Hon'ble Minister's visit?

The Hon'ble Mr. A. K. FAZLUL HUQ: It seems that the honourable member knows more than I do.

Mr. H. S. SUHRAWARDY: Is the Hon'ble Minister aware that in the notice which has been served, it is definitely stated they have to show cause on account of active participation in demonstrations against Hon'ble Ministers?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have not seen the notice. If the honourable member wants, I may call for a copy of the notice and then I can answer.

Mr. H. S. SUHRAWARDY: Is the Hon'ble Minister aware that the notice was dated 16th January, 1942, although the Ministers were not expected to arrive before the 20th of January somewhere in Sonaimuri.

The Hon'ble Mr. A. K. FAZLUL HUQ: Till I have seen the notice I cannot answer.

Khwaja Sir NAZIMUDDIN: Will the Hon'ble Home Minister be pleased to take action against the officer concerned if he finds that the notice has been served as stated in the previous question?

Dr. NALINAKSHA SANYAL: That is a request for action.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister in charge be pleased to state whether he will consider the desirability of taking suitable action against the particular officer if he has issued such a notice?

Mr. DEPUTY SPEAKER: Please put the question in proper form.

Dr. NALINAKSHA SANYAL: Sir, the honourable member has put the question in a new form, namely, whether the Hon'ble Minister considers the desirability of taking action.

The Hon'ble Mr. A. K. FAZLUL HUQ: With regard to the question of desirability of taking action, if action is necessary, certainly action will be taken.

Serving of notices on certain Muslim hotel-keepers and Islamia Printing and Publishing Company, of Noakhali.

*129. **Mr. SYED ABDUL MAJID:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state the reason why a large number of Muslim hotel-keepers of the Noakhali town have been served with notices to show cause why they should not be prosecuted?

(b) Is it a fact that a similar notice has also been served on the Noakhali Islamia Printing and Publishing Company for printing handbills under the caption " সমাজদ্রোহী সেনাপতি "?

(c) If so, will the Hon'ble Minister be pleased to state the reason therefor?

The Hon'ble Mr. A. K. FAZLUL HUQ: (a) I am causing enquiries to be made and will give the honourable member the information called for on receipt.

(b) Yes.

(c) The local officer is advised that the leaflet is itself actionable and in his view the press would appear to be an undeclared press and to have consequently infringed the law in any case by printing it.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state what was the nature of the notice served on the printing press?

The Hon'ble Mr. A. K. FAZLUL HUQ: As regards the printing press I am prepared to give the information. It is this: the declared owner of the press at which the leaflet was printed is dead and no fresh declaration has been made. Under the P. and R. of B. Act, 1867, it is an offence (section 13 read with section 4) to keep a press without a declaration and (section 15 read with section 5) to print at an undeclared press. An undeclared press is also liable to forfeiture under Indian Press (Emergency Powers) Act, section 17, for producing an unauthorised news-sheet [*see* section 2 (*10*) of the Indian Press (Emergency Powers) Act].

Mr. H. S. SUHRAWARDY: Is the Hon'ble Minister aware that the notice that was served on the press was not because it was an undeclared press but because it was alleged to have printed leaflets under the caption "Samajdrohi Senapati", without consulting the District Magistrate?

The Hon'ble Mr. A. K. FAZLUL HUQ: The honourable member may find from my answer that there are two aspects: first, the local officer is advised to see if there is anything objectionable in the leaflet, but apart from that he has also to see if any offence has been committed. And, in fact, an offence was committed.

Mr. H. S. SUHRAWARDY: What I am asking the Hon'ble Minister if he is aware that the notice to show cause on the "Islamia Press" was because it printed leaflets "Samajdrohi Senapati"?

The Hon'ble Mr. A. K. FAZLUL HUQ: It may be so, Sir, but I am not aware.

Externment order on Sj. Deb Kumar Gupta and Sj. Prafulla Roy of Calcutta.

*130. **Babu NAGENDRA NATH SEN:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether Sj. Deb Kumar Gupta and Sj. Prafulla Roy of 7/B, Jugipara Bye-Lane, Calcutta, were served with externment order on the 6th July, 1940, externing them from Calcutta and certain areas of Bengal;

(*ii*) whether they were asked to explain their conduct before the service of the order or at any later time;

(*iii*) the offence under which they were arrested at Muttra in United Provinces; and

(*iv*) who authorised their return to Presidency Jail in Calcutta?

(*b*) Is the Hon'ble Minister aware that the said Deb Kumar Gupta and Prafulla Roy were brought handcuffed from Muttra to Calcutta?

(*c*) Is it a fact that orders for externment from Calcutta and internment within Bengal were again served upon them?

(*d*) If so, will the Hon'ble Minister be pleased to state whether they have been asked to explain their conduct at any time?

(*e*) Will the Hon'ble Minister be pleased to state whether the aforesaid gentlemen have applied for any allowance for them and their family?

(*f*) Is the Hon'ble Minister aware that these two gentlemen have no other means of subsistence?

(*g*) Have the Government made an enquiry regarding prayers of their allowances? If so, with what result?

(*h*) Is the Hon'ble Minister aware how these gentlemen and their families are maintaining themselves?

(*i*) Is the Hon'ble Minister considering the desirability of modifying the orders restricting their movements by allowing them to move within the area of any district without the necessity of giving seven days' notice to the district authorities?

(*j*) Have the Government received any petitions from Sj. Deb Kumar Gupta asking for leave to come to Calcutta and passed any order thereon?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) and (*e*) Yes.

(*ii*) and (*d*) No.

(*iii*) They were arrested under Defence of India Rule 129 by the United Provinces Police in view of activities considered by them to be prejudicial and the existence of an order of the Government of India, dated 13th March, 1941, directing them to remain within the Province of Bengal.

(*iv*) The United Provinces Government with the previous consent of this Government.

(*b*) I have no information.

(*c*) Orders were served upon them on the 8th May, 1941, directing them, without prejudice to the order of the 6th July, 1940, to reside and remain in Bengal.

(*d*) No.

(*e*) Yes.

(*f*) They were joint publishers of a paper and joint owners of a publishing business and Deb Kumar was at one time an agent of an insurance company. There is no bar upon their pursuing these avocations or otherwise making a living.

(*g*) Yes, rejected.

(*h*) I have no information.

(*i*) I shall look into the matter.

(*j*) Yes, rejected.

Dr. NALINAKSHA SANYAL: With reference to the replies regarding the arrests made by the United Provinces Government, will the Hon'ble Minister be pleased to state whether any initiative was taken by this Government in those arrests as is indicated in the answer (*a*) (*iv*), namely, that the United Provinces Government with the previous consent of this Government arrested these young men; and if so who were responsible for taking the initiative?

The Hon'ble Mr. A. K. FAZLUL HUQ: I find from the notice, dated the 8th July, 1941, that the Bengal Government was not responsible.

Dr. NALINAKSHA SANYAL: But it is stated here that the United Provinces Government arrested these young men with the previous consent of this Government.

The Hon'ble Mr. A. K. FAZLUL HUQ: But this Government did not take any initiative. Prafulla and Deb Kumar were externed from Calcutta and the industrial areas by an order, dated the 6th July, 1940.

They then moved to Bihar where they made themselves objectionable owing to communist propaganda amongst the Santhals in the Santhal Parganas. The Bihar Government moved the Government of India for their internment in this province and with our consent orders were issued on 13th March, 1941, by the Central Government directing their internment in Bengal subject to existing orders and to certain further restrictions. They appeared to have evaded the service of these orders in Bihar and they were arrested in the United Provinces under Defence of India Rule 129 and with our consent were transferred to Bengal where orders similar to those issued by the Central Government were served upon them by the Bengal Government. Those orders were dated 22nd April, 1941. They previously applied to be allowed to return to Calcutta in order that Deb Kumar might visit his ailing mother-in-law who however was reported to be in no immediate danger of death; and against the further plea that they should be allowed to earn their living in Calcutta, the Commissioner of Police reported that the presence of both these men in Calcutta was not desirable in view of their bad records. No ground is put forward which can be conclusive in favour of relaxing the order of externment. This is dated 8th July, 1941.

Prafulla and Deb Kumar were joint publishers of "Agranee" and joint owners of a publishing business called the "Book Club"; their income is not ascertainable as they kept no accounts; it was not likely to be large.

Prafulla is a bachelor with no dependents. Deb Kumar has a wife. Neither is prevented from making a living: and in particular there is no reason why Deb Kumar should not continue as an agent of the Asiatic Insurance Company unless he has been sacked. We have already agreed that there is nothing in the orders of Government or any statements in the House inconsistent with refusing an allowance to Deb Kumar. This is dated 4th August, 1941.

Dr. NALINAKSHA SANYAL: With regard to answer (*b*), namely, "I have no information", will the Hon'ble Minister be pleased to state whether any attempt was made by him to find out if the statement is

correct that the two young men were brought hand-cuffed from Mathura to Calcutta, particularly on that portion of the journey which fell within this province?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have not got specific information but I may tell the honourable member that the allegation made may be correct. I have been told that the hand-cuffing of these prisoners is covered by the ordinary rules applicable to prisoners.

Dr. NALINAKSHA SANYAL: In view of the position explained in the note of the Hon'ble Minister, will the Hon'ble Minister be pleased to state what exactly is the position of these two young men now for it appears that the Government of India has interned them in Bengal and the Government of Bengal has externed them out of Calcutta and certain parts of Bengal? Where are they likely to stay on? It appears that by the order, dated the 8th of May, 1941, without prejudice to the previous order of 6th July, 1940, they were allowed to reside in Bengal without prejudice to the original order which was for externment from Calcutta and Bengal.

The Hon'ble Mr. A. K. FAZLUL HUQ: I agree with the honourable member that from the materials at our disposal it is difficult to say what the position now actually is. I will look into it and let him know.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to consider the desirability of making an enquiry with reference to his answer (*h*) regarding how they are maintaining themselves and their families in connection with the enquiry regarding their present position?

The Hon'ble Mr. A. K. FAZLUL HUQ: I will be grateful if the honourable member will put a fresh question indicating the points on which information is wanted and I promise that I will give it as early as possible.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister please state if he has seen the file where there are at least one dozen applications from these two gentlemen during the time when Khwaja Sir Nazimuddin was the Home Minister and will the Hon'ble Minister be pleased to state if the rejection referred to in (*g*) and (*j*) refers to the period when Sir Nazimuddin was the Home Minister?

The Hon'ble Mr. A. K. FAZLUL HUQ: The dates will show, but I am prepared to take the responsibility for any orders passed by my predecessor. At the same time, I would like to have definite points on which information is wanted and I promise to give the information as soon as possible. The honourable member will kindly remind me next week.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if, in view of the nautre of the allegation being that they were suspected for encouraging Communist activities amongst the Santals, Government would consider the desirability of revising their entire order having regard to the new alliance between the ABCD powers under which the Communists are definitely helping the Allies in their war effort?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is more than I can say.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister please state the policy?

The Hon'ble Mr. A. K. FAZLUL HUQ: We have not framed any policy regarding Communist or Axis powers. That is too much for Bengal.

Alleged prevention of certain persons from addressing a meeting at Natore by the Subdivisional Officer.

***131. Mr. FAZLUR RAHMAN (Dacca):** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that Maulana Md. Akram Khan, M.L.C., and Mr. A Waseque, were not allowed to speak in a Muslim League meeting held at Chackkoir in the subdivision of Natore, by the Subdivisional Officer of Natore?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for such an order?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) This is not a fact.

(*b*) Does not arise.

Mr. H. S. SUHRAWADY: Will the Hon'ble Minister please tell us who is the officer from whom he has obtained the information which permits him to make a categorical statement that the allegation made in the statement is not corecrt?

Mr. DEPUTY SPEAKER: How can he say that?

The Hon'ble Mr. A. K. FAZLUL HUQ: So far as the information is concerned, I will be able to give the information in detail when I receive it, but I am not prepared to mention who the officer is.

Mr. H. S. SUHRAWARDY: Is the Hon'ble Minister aware that in the application for permission that was made to the Subdivisional Officer of Natore, the names of Maulana Md. Akram Khan and Mr. Waseque appeared among those who the organisers of the meeting desired should address the meeting?

The Hon'ble Mr. A. K. FAZLUL HUQ: The facts are these. These gentlemen were never restrained. Maulana Md. Akram Khan, M.L.C., was unwell at Natore. He did not go to Chanchkoir. The facts have been distorted. The organisers of the meeting did not include the name of Mr. A. Waseque or Maulana Md. Akram Khan, M.L.C., as probable speakers. Therefore the Subdivisional Officer could not include their names in the written permission. It is not a fact that these gentlemen were not allowed to speak at Chanchkoir. They were allowed to speak at Natore. There was no objection to allow them to speak at Chanchkoir. Their names would have been included in the list of speakers in the written permission if their names had been mentioned in the application by organisers as required by the orders of the District Magistrate issued under rule 56 of the Defence of India Rules.

Mr. H. S. SUHRAWARDY: Will the Hon'ble Minister please tell us what is the remedy of this House or of anyone when an officer makes a deliberately false statement of that nature? I desire to state here that in the application I definitely saw that the names of Maulana Akram Khan and Mr. Waseque were included in the list.

Mr. DEPUTY SPEAKER: What is your question? You cannot have the name of the officer concerned.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I am prepared to answer. It appears that there is hardly any remedy against false statements, exaggerations and such other things. We have been subjected to false statements made in ignorance during the last 4 months and we have had no remedy.

Khan Sahib HAMIDUDDIN AHMAD: Will the Hon'ble Minister be pleased to lay on the table a copy of the application that was submitted to the District Magistrate for seeking permission about the meeting?

The Hon'ble Mr. A. K. FAZLUL HUQ: I will ask for a copy of the application and if I get it, I will place it on the table; I have not got it in my pocket.

Mr. H. S. SUHRAWARDY: In order to enable us to ask supplementary questions after a copy of the application has been placed on the library table, will the Hon'ble Minister please allow this question to be held over?

The Hon'ble Mr. A. K. FAZLUL HUQ: All right, Sir, I concede to the question being held over. In that case I would like to know all the points on which information is wanted.

Mr. H. S. SUHRAWARDY: We are very grateful to the Hon'ble Minister.

Granting of family allowances to certain security prisoners.

***132. Mr. JNANENDRA CHANDRA MAJUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the Government have received petitions from security prisoners Babus Ananta Kumar De, Jamini Mohan Pal and Birendra Chandra Chatterjee for the grant of family allowances?

(*b*) If so, what action has been taken on those petitions?

(*c*) Is the Hon'ble Minister aware—

(*i*) that every one of them was the sole earning member of their families earning not less than Rs.100 each;

(*ii*) that they were granted family allowances at the rate of Rs.45, Rs.60 and Rs.55, respectively, per month during the period of their detention in 1930-38?

(*iii*) that their family circumstances have in no way changed for the better since their last detention; and

(*iv*) that owing to their arrests and detention their family members have been reduced to serious and critical financial straits?

(*d*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of granting them family allowances?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) Babu Ananta Kumar De has been granted a family allowance of Rs.25 per month. No family allowance is considered necessary for Babu Jamini Mohan Pal as on fresh enquiry it transpires that his present detention has not affected the pecuniary circumstances of his family. The case of Mr. Chatterjee is under review.

(*c*) (*i*) I understand that Mr. Chatterjee was earning not less than Rs.100. Messrs. De and Pal were apparently the only earning members of their families but their earnings were almost certainly considerably less than stated.

(*ii*) Yes.

(*iii*), (*iv*) and (*d*) I have no details of their family circumstances when they were under detention before 1938, but I refer the honourable member to my reply to question (*b*).

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister please explain, if Babu Jamini Mohan Pal is the only earning member of his family, then how his detention does not affect the pecuniary circumstances of his family?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot say whether he is the only earning member of his family.

Dr. SURESH CHANDRA BANERJEE: Sir, that has been mentioned in the answer.

The Hon'ble Mr. A. K. FAZLUL HUQ: It means perhaps, reading the language, that although the income may have fallen, it is sufficient for the family to carry on.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister please enquire into the matter?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes.

Mr. ATUL CHANDRA SEN: With reference to answer (*c*) (*i*) where it is stated that the earnings of Messrs. De and Pal were almost certainly considerably less than stated, will the Hon'ble Minister be pleased to modify the statement if I tell him that to my knowledge Mr. Ananta Kumar De was earning between Rs. 300 and Rs. 400 per month at the time of his arrest as Sales Agent of the Cotton Mill at Dacca?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have no materials with me to contradict the honourable member.

Mr. CHARU CHANDRA ROY: In the case of Mr. Chatterjee the consideration is going on from the time of Sir Nazimuddin. Will the Hon'ble Minister be pleased to state when this consideration will be finished?

The Hon'ble Mr. A. K. FAZLUL HUQ: We will take it up immediately.

Procession with music before mosques.

*133. **Mr. ABDULLA-AL-MAHMOOD:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the Government have come to any decision over the question of processions passing before mosques with music, specially with reference to the processions over which dispute was going on in Dinajpur and Budge Budge?

(*b*) Do the Government contemplate any change in the existing procedure regarding music passing before mosques?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether he is considering the desirability of giving an opportunity to this Assembly of discussing the question of music before mosques?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Not yet; special efforts were made by the District Magistrate in Dinajpur to reach an amicable settlement in respect of the Durga and Kali Puja images in connection with the Saraswati Puja celebrations earlier this year, but unfortunately without success.

(*b*) Government have undertaken to consider this whole question, but my colleagues and I feel very strongly that any consideration of the general question will be greatly facilitated if existing disputes are amicably settled without prejudice to a definitive settlement later.

(*c*) I should certainly not stand in the way of a discussion of this matter if such is desired by the House.

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister please enlighten this House as to what is the reason, what is the necessity for an amicable settlement when the Hindus were only practising their legal and customary rights of leading their processions?

The Hon'ble Mr. A. K. FAZLUL HUQ: That was the point in dispute in Dinajpur: I cannot say.

Babu PREMHARI BARMA: Will the Hon'ble Minister be pleased to state whether, if there be no amicable settlement, Government propose to do anything in the matter to help the Hindus?

Mr. DEPUTY SPEAKER: That is a hypothetical question.

Toddy shops in Barrackpore Circle.

***134. Dr. ABDUL MOTALEB MALIK:** Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state—

(*a*) the number of existing *tari* shops in the Barrackpore Circle of district 24-Parganas; and

(*b*) the annual rate at which each such shop of that circle has been settled in the years (1) 1940-41 and (2) 1941-42?

MINISTER in charge of the FOREST AND EXCISE DEPARTMENT (the Hon'ble Mr. Upendra Nath Barman): (*a*) 9.

(*b*) A statement showing the annual rates and total annual receipts from each of these shops during the year 1940-41 is laid on the Table.

The revenue from *tari* shops consists of two parts, namely, (1) licence fee and (2) tree tax. The tree tax is variable. The period for which *tari* licences are granted runs from October of one calendar year to September of the next. So the total rates and receipts for the year 1941-42 cannot be ascertained until after September, 1942.

Statement referred to in reply to clause (b) of the starred question No 134.

Name of shop.	Monthly fee.	Minimum tree tax.	Total monthly demand.	Amount of the monthly licence fee realised.	Amount of total annual tree tax realised.	Total revenue of the shop.
	Rs.	Rs.	Rs	Rs.	Rs.	Rs.
(1) Nayabasti	100	100	200	1,200	1,210	2,410
(2) Chandan-pukur.	250	125	375	3,000	1,500	4,500
(3) Talpukur ..	325	150	475	3,900	1,942	5,842
(4) Tittaghur	420	200	620	5,040	2,400	7,440
(5) Khardah ..	375	200	575	4,500	2,403	6,903
(6) Sukchar 1st licensee.*	75	30	105	225 167-1	120 ..	345 167-1
(6A) Sukchar 2nd licensee.†	51	30	81	424-7	300	724-7
(7) Panihati ..	75	50	125	900	610	1,510
(8) Kamarhati	250	150	400	3,000	1,800	4,800
(9) Belghoria	100	70	170	1,200	951	2,151

* 1st licensee from 1st October, 1940, to 21st January, 1941, at Rs.75 per mensem. Rs.167-1 realised during the *tari* year of 1941-42.

† 2nd licensee from 22nd January, 1941, to 30th September, 1941, at Rs. 51 per mensem.

Raj Sahib ANUKUL CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether these licence fees and tree tax are fixed by this department?

The Hon'ble Mr. UPENDRA NATH BARMAN: Yes; both licence fees and tree tax are fixed by this department.

Rai Sahib ANUKUL CHANDRA DAS: Will the Hon'ble Minister be pleased to state why there is this variation in tree tax?

The Hon'ble Mr. UPENDRA NATH BARMAN: The tree tax is fixed upon each tree. So if the number of trees increases, the tax also increases accordingly.

Rai Sahib ANUKUL CHANDRA DAS: Will the Hon'ble Minister be pleased to state if it is a fact that although these taxes and licence fees are not realised through the shopkeepers, still the shops are being given to the defaulting shopkeepers?

The Hon'ble Mr. UPENDRA NATH BARMAN: In the year 1941-42 entirely new sets of vendors have been appointed.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state if there is any communal ratio in the distribution of vendors?

The Hon'ble Mr. UPENDRA NATH BARMAN: Not in the case of toddy shops.

Recruitment of a Muslim Assistant Executive Engineer in Communications and Works Department.

*135. **Mr. MIRZA ABDUL HAFIZ:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*i*) the present number of—

(1) Executive Engineers, and

(2) Assistant Executive Engineers, in the Public Works Department; and

(*ii*) the number of them that are Muslims?

(*b*) Is the Hon'ble Minister considering the desirability of recruiting directly an Assistant Executive Engineer from the Muslims in this department?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Mr. Shamsuddin Ahmed): (*a*) A statement is laid on the Table.

(*b*) Yes, the question of recruiting another Muslim Assistant Executive Engineer in the Bengal Senior Service of Engineers in the Irrigation Branch is under consideration of Government. Recruitment to the Indian Service of Engineers has been stopped. Direct recruitment of Asiatics to the posts of Assistant Executive Engineer in the Bengal Senior Service of Engineers in the Communications and Buildings Branch of the Communications and Works Department is not permissible under the existing rules.

Statement referred to in reply to clause (a) of the starred question No. 135.

POSTS IN THE COMMUNICATIONS AND BUILDINGS BRANCH OF THE DEPARTMENT OF COMMUNICATIONS AND WORKS.

Posts.	Indian Service of Engineers.	Bengal Senior Service of Engineers.	Electrical.	Total.
(*a*) (i) (*1*) Executive Engineers.	4 (3 are officiating as Superintending Engineer and 1 is on Military Service).	13 (2 are permanent and 11 are officiating). The services of one permanent Executive Engineer are placed at the disposal of the Home Department in connection with the A. R. P. works.	8 (2 permanent and one officiating).	20
(2) Assistant Executive Engineer.	Nil ..	1 (officiating as Executive Engineer).	No post ..	
(*a*) (ii) Executive Engineer.	Nil ..	Nil ..	Nil ..	
Assistant Executive Engineer.	Nil ..	Nil ..	Nil ..	

POSTS IN THE IRRIGATION BRANCH OF THE DEPARTMENT OF COMMUNICATIONS AND WORKS.

Posts.	Indian Service of Engineers.	Bengal Senior Service of Engineers.	Total.
(a) (i) (1) Executive Engineers ..	10	1	11
(2) Assistant Executive Engineers ..	Nil	7	7
(ii) Executive Engineer	Nil	Nil	Nil
Assistant Executive Engineers ..	Nil	3	3

Dr. NALINAKSHA SANYAL: With reference to the scandalous reply of discriminating treatment contained in the last part of answer (*b*) that there is still permitted a grossly unfair and discriminating treatment against the Asiatics including the Indians in the province of Bengal, will the Hon'ble Minister be pleased to state what steps the present Government have taken to see that such discrimination is brought to an end forthwith?

The Hon'ble Mr. SHAMSUDDIN AHMED: The honourable member knows what steps are being taken.

Dr. NALINAKSHA SANYAL: No, no: Will the Hon'ble Minister be pleased to state whether the present Ministry of Bengal have taken any steps to see that the original claims of the Bengalis and Indians are recognised by the Government and given effect to forthwith?

The Hon'ble Mr. SHAMSUDDIN AHMED: If the honourable member and the House will help us, we will certainly do it.

Dr. NALINAKSHA SANYAL: My question is what steps have been taken. Am I right in presuming then that no steps have been taken by the present Government so far?

The Hon'ble Mr. A. K. FAZLUL HUQ: The steps are being taken slowly.

Dr. NALINAKSHA SANYAL: Let us understand, Sir, if you have taken any steps or not.

The Hon'ble Mr. SHAMSUDDIN AHMED: Up till now no direct steps have been taken, but the Government do propose to take steps in the matter if it is within their power under the rules.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state under whose authority these rules have been framed?

The Hon'ble Mr. SHAMSUDDIN AHMED: I ask for notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that as a result of this unfair discrimination against Indians in general and Bengalees in particular, it is very difficult for an efficient Bengalee officer to become the Chief Engineer in the Buildings Branch and even if he becomes so at the end of his career, it is difficult for him to continue for a long time?

The Hon'ble Mr. SHAMSUDDIN AHMED: There are many difficulties that I know of and you know of.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state when he proposes to come to this House with a specific proposal demanding removal of such discriminating treatment?

The Hon'ble Mr. SHAMSUDDIN AHMED: When the time comes. I cannot tell you when.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the Government of Bengal considers the desirability of demanding of the authorities outside Bengal immediate suspension of these rules to enable a united and co-operative effort in the matter of war, so that there may not be any feeling of discrimination against the Bengalees and Indians?

The Hon'ble Mr. SHAMSUDDIN AHMED: Certainly. These things will be considered. No efforts will be spared.

Mr. MIRZA ABDUL HAFIZ: With reference to the statement that is laid on the table, will the Hon'ble Minister be pleased to state the reason why out of 20 Executive Engineers mentioned there, there is not a single Muhammadan?

The Hon'ble Mr. SHAMSUDDIN AHMED: I cannot say that. Possibly there was no suitable Muhammadan candidate and that is why no appointment could be given.

Retirement of Government servants after 25 years of service.

*136. **Dr. SANAULLAH:** (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state whether the Government have accepted the proposal of compulsory retirement of Government servants after 25 years of service or at the age of 55 years whichever is earlier?

(*b*) If the answer to (*a*) is in the affirmative, when will it be given effect to?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Dr. Syamaprasad Mookerjee): (*a*) and (*c*) It has been decided not to make any change in the rules governing superannuation of Government servants during the war.

(*b*) Does not arise.

Rai Sahib ANUKUL CHANDRA DAS: Has the principle of compulsory retirement been accepted by Government?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: No.

Khan Bahadur MOHAMMED ALI: When was this decision arrived at by Government?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: During the last month, I believe. I don't remember the date.

New Constituencies for Jessore District Board Election.

*137. **Maulvi SERAJUL ISLAM:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the delimitation of new constituencies for the purpose of direct election to the District Board of Jessore, since the abolition of the local boards of that district, has been completed?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether it has been approved by Government?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state—

(*i*) the present stage of the said delimitation work;

(*ii*) when the matter is likely to be completed;

(*iii*) the total number of seats in the delimited constituencies;

(*iv*) the number of them that are to be filled by election; and

(*v*) the number, if any, to be reserved for the minority community?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) No.

(*b*) Does not arise.

(*c*) (*i*) The proposal for the delimitation of constituencies is at present under the consideration of the District Board of Jessore.

(*ii*) As soon as possible after the receipt of the proposal by Government.

(*iii*) to (*v*) The information is not available at present.

District Board Election, Mymensingh.

***138. Mr. MIRZA ABDUL HAFIZ:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether the delimitation of seats in connection with the election of the District Board of Mymensingh has been completed?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the Table a statement showing the constituencies and the number of seats allotted to each?

(*c*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state when it is expected to be done?

(*d*) Will the Hon'ble Minister be pleased to state when the election is likely to be held?

The Hon'ble Mr. SANTOSH KUMAR BASU: (*a*) No.

(*b*) Does not arise.

(*c*) The proposal for the delimitation of constituencies, with the views of the District Board thereon, is being awaited from the Commissioner of the Dacca Division. Government orders will be published as early as possible after the proposal is received.

(*d*) The election to the District Board will be held after the constituencies are delimited by Government.

Khan Sahib HAMIDUDDIN AHMED: Will the Hon'ble Minister be pleased to state whether the Government is aware that the preliminaries for holding the election are in progress?

The Hon'ble Mr. SANTOSH KUMAR BASU: It is a matter for the District Board. I am not aware of it.

Khan Sahib HAMIDUDDIN AHMED: Will the Hon'ble Minister be pleased to state whether he is aware that the preliminaries are in progress by order of Government?

The Hon'ble Mr. SANTOSH KUMAR BASU: Yes, I am aware that delimitation has been made and this answer has become out of date.

Khan Sahib HAMIDUDDIN AHMED: Will the Hon'ble Minister be pleased to state whether the Government think it desirable to postpone the election till the present critical situation in Bengal is over?

The Hon'ble Mr. SANTOSH KUMAR BASU: If there is a critical situation in Mymensingh, Government will consider it. The international situation will have nothing to do with the election.

Khan Sahib HAMIDUDDIN AHMED: Will the Hon'ble Minister be pleased to state whether Government think it desirable to postpone the election in Mymensingh on grounds for which the District Board election of Noakhali has been postponed?

The Hon'ble Mr. SATOSH KUMAR BASU: Yes, if those grounds apply to Mymensingh.

Treatment of an insane security prisoner.

***139. Mr. JNANENDRA CHANDRA MAJUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether security prisoner Babu Dhirendra Chandra Ghosh of the Hijli Special Jail has developed signs of mental disorder; and

(*ii*) whether on the recommendations of the Medical Officer of the Hijli Special Jail and the Civil Surgeon of Midnapore, he has been transferred to the Presidency Jail, Calcutta, for proper medical treatment?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what arrangements have been made for his proper treatment at the Presidency Jail?

(*c*) Is the Hon'ble Minister considering the desirability of permitting him to live in his home amongst his relations?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) and (*c*) He has since been removed to the Indian Mental Hospital, Ranchi.

The answer to this question was drafted after the resignation of the last Ministry and before the present Ministry came into office. I have ascertained facts since then. They are as follows: Security prisoner Babu Dhirendra Nath Ghosh (not Dhirendra Chandra Ghosh as stated in the question) showed signs of insanity since the day of his admission to the Hijli Special Jail on 15th November 1940. He was transferred to the Presidency Jail under Government order No. 1730H.J., dated 4th March, 1941, to be kept under medical observation. Subsequently on the recommendation of the Superintendent, Presidency Jail, he was transferred to the Indian Mental Hospital, Ranchi, under Government order No. 3935H.J., dated 21st November, 1941.

The question of permitting him to live in his home under the control of his brother was considered but dropped on the objection of the Deputy Inspector-General, Intelligence Branch, who considered it undesirable to let him free. It appears from the Commissioner of Police's letter dated 29th November, 1941, that the Government order No. 3935H.J., dated 21st November, 1941, directing the transfer of the prisoner to the Indian Mental Hospital, Ranchi, was made over to the Superintendent, Presidency Jail, on 25th November, 1941. Presumably the prisoner has been transferred to the Indian Mental Hospital by this time.

Co-operation of various non-official organisations with A.R.P. for Civil Defence duties.

***139A. Dr. NALINAKSHA SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Civil Defence Department be pleased to state what do the Government propose regarding the enlistment of the co-operation of non-official independent volunteer organisations like the Congress Volunteer Corps, the Ramkrishna Mission, the Bharat Sevasram Sangha, the Bengal Provincial Students' Federation and the Bengal Provincial Muslim League in the performance of various Civil Defence duties?

(*b*) Are the Government considering the desirability of permitting such organisations to take up ameliorative and humanitarian duties like maintenance of First Aid and other relief centres without merging their identity into the A.R.P. or Civic Guards Services organised so far?

MINISTER in charge of the CIVIL DEFENCE DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) Government is convening

a Conference of representatives of non-official opinion where the matter will be considered. I may add that the conference has been held.

(*b*) Yes.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether answer (*a*) refers to the conference held on Saturday, the 7th instant?

The Hon'ble Mr. SANTOSH KUMAR BASU: Yes.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether in that conference the questions covered by question (*a*) were discussed?

The Hon'ble Mr. SANTOSH KUMAR BASU: It was originally intended that this conference would discuss questions raised in question (*a*). That idea was given up at the suggestion of a very high authority in the political field.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state in that view what modification he desires in the answer? The answer evidently was drafted beforehand and what is to-day's answer?

The Hon'ble Mr. SANTOSH KUMAR BASU: That Committee may extend its scope of operations if that is agreed upon. If not, as soon as offers of assistance are received from the bodies and organisations mentioned in question (*a*), they will certainly be considered with the greatest amount of sympathy.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if at the conference mentioned he outlined the general policy of Government by stating that the need of a unified control cannot be over-estimated in these directions and that parallel organisations doing similar work are sources of danger and consequently there would be difficulty in Government coming to a decision in permitting other organisations than the A.R P. services to manage various humanitarian and ameliorative work?

The Hon'ble Mr. SANTOSH KUMAR BASU: I don't think that the honourable member is at all correct in summarising what I have stated and it seems that the error is still persisting in his mind. What I said was that unified control over the actual A.R.P. work was essential and I did not at all refer to other organisations carrying on humanitarian and ameliorative work outside the actual A.R.P. work.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if various civil defence duties referred to in the question other than what the Hon'ble Minister calls as actual A.R.P. duties were the subject-matter of discussion in the conference?

The Hon'ble Mr. SANTOSH KUMAR BASU: Probably they were. Various speakers took part in the conference and they mentioned matters which they considered necessary.

Dr. NALINAKSHA SANYAL: Was there any decision in regard to any other matter than what the Hon'ble Minister terms as actual A.R.P. work?

The Hon'ble Mr. SANTOSH KUMAR BASU: Actually none.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what are the actual A.R.P. duties contemplated?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am not in a position to enunciate that within the short compass of an aswer to a supplementary question.

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister also accept the offer of co-operation from the Hindu Mahasabha which my honourable friend does not like presumably when he put the question?

The Hon'ble Mr. SANTOSH KUMAR BASU: It is certainly welcome.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that question specifically mentioning the Hindu Mahasabha were also directed and mention was made in the conference but the decision refers only to such organisations that have so far actively come forward with their voluntary organisations doing the work?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am not in a position to apportion credit or blame as between different organisations. So far as these organisations are concerned, I shall welcome assistance and help from all of them if offered in a bona fide manner.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether the actual A.R.P. duties include such duties as burial of the dead, removal of the injured, succour to those rendered homeless, maintenance of refugee centres and first-aid centres?

The Hon'ble Mr. SANTOSH KUMAR BASU: With regard to first-aid centres, I think that the A.R.P. work includes that in the casualty clearing area. As regards the other types of work, it does not include.

Dr. NALINAKSHA SANYAL: Even the removal of dead bodies? (No answer.)

Mr. H. S. SUHRAWARDY: Will the Hon'ble Minister be pleased to state if we understand him rightly from his answer that whereas he welcomes the humanitarian work of non-official organisations, their assistance and help, he is not prepared to co-operate with them: nor does he seek their co-operation?

The Hon'ble Mr. SANTOSH KUMAR BASU: I did not say that, but if there is any misapprehension on the part of my honourable friend on that score I will try to remove that misapprehension.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it was intended when he replied previously about the actual A.R.P. duties that such duties involve work during a raid and immediately after a raid?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am not in a position to bring it within the formula of the nature suggested by my honourable friend.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Pay and prospects of inferior Government servants.

65. KAZI EMDADUL HAQUE: (*a*) With reference to the reply given to unstarred question No. 28 of the 4th August last, will the Hon'ble Minister in charge of the Finance Department be pleased to state whether the Government has as yet come to any final decision in the matter?

(*b*) If so, what are their decisions?

(*c*) If the answer to clause (*a*) above be in the negative, will the Hon'ble Minister be pleased to state when the Government expect to reach a final settlement in this direction?

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: (*a*) No.

(*b*) Does not arise.

(*c*) Government feel that the present disturbed times are not appropriate times in which to consider the revision of the pay scales of menials.

Ban on Muslim League meeting at Daudkandi, Tippera.

66. Mr. M. A. H. ISPAHANI: (*a*) Is the Hon'ble Minister in charge of the Home Department aware that permission to hold a Muslim League Meeting at Daudkandi, Tippera, on the 19th January, 1942, was refused?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons therefor?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) The Magistrate withheld permission till some subsequent date as he considered that disturbances would occur if the meeting were held on the 19th January.

Mr. MIRZA ABDUL HAFIZ: Will the Hon'ble Minister be pleased to state when the permission given for holding the meeting was withdrawn?

The Hon'ble Mr. A. K. FAZLUL HUQ: It appears that in connection with the visit of some Hon'ble Ministers permission was sought for holding a meeting on the 21st January, but subsequently permission was sought for holding a meeting on the 19th but the District Magistrate thought that that might create trouble, and so he withheld the permission for the 19th.

Mr. H. S. SUHRAWARDY: Does the Hon'ble Minister mean to say that the District Magistrate refused permission for the meeting on the 19th lest it interfered with or lest it caused some sort of diminution in the attendance of the audience waiting for the Ministers on the 21st January?

Mr. DEPUTY SPEAKER: That question does not arise.

Mr. H. S. SUHRAWARDY: Will the Hon'ble Minister be pleased to state if on account of the fact that the Ministers were expected to arrive at Daudkandi on the 21st January, permission was refused to the Muslim League for holding a meeting on the 19th January?

The Hon'ble Mr. A. K. FAZLUL HUQ: As I have already stated, permission was asked for holding a meeting on the 21st January and that permission was given. But subsequently permission was asked for holding a meeting on the 19th, and that was refused, but permission for that meeting was provisionally sanctioned on condition that it would come at a later date.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state what was the exact nature of the trouble that was apprehended by the District Magistrate on the 19th and why was the permission that was granted for the meeting of the 21st refused for the meeting of the 19th?

The Hon'ble Mr. A. K. FAZLUL HUQ: The honourable member himself knows what sort of trouble they were creating in East Bengal.

Mr. RAMIZUDDIN AHMED: Is the Hon'ble Minister aware that the convening of the meeting for the 19th was done at the instigation of persons from outside the district of Tippera although the people of Daudkandi did not want it?

(No reply.)

Defalcations in Co-operative Societies in Chittagong.

67. Maulvi MUHAMMAD IBRAHIM: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state the names of the Co-operative Societies in the district of Chittagong where defalcations were detected in course of last seven years?

(*b*) Will the Hon'ble Minister be pleased to state how many criminal cases were started in this connection and with what result?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Hashem Ali Khan): (*a*) A statement is laid on the Table.

(*b*) Six. Four failed, one settled amicably and one is pending.

Statement referred to in reply to clause (a) of unstarred question No. 67.

1. Cox's Bazar Urban Co-operative Bank, Limited.
2. Cox's Bazar Union Urban Bank, Limited.
3. Noapara-Gusra Urban Co-operative Bank, Limited.

4. Dabua Co-operative Bank, Limited.
5. Zorawarganj Urban Co-operative Bank, Limited.
6. Dharla-Kanungoepara Urban Co-operative Bank.
7. Purba Sakpura Joutha Bank.
8. Anwara Joutha Bank.
9. Azimpur Banskhali Joutha Bank.
10. Mohamuni Co-operative Bank, Limited.
11. Patiya Urban Co-operative Bank, Limited.
12. Chittagong Baidya Brahmin Co-operative Bank, Limited.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state why out of the twelve cases of defalcation detected procedings were taken against six only and why is it that even out of that six, four cases had failed?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: As a matter of fact 12 cases were detected, but as a result of departmental enquiries six cases only were instituted because there was not sufficient evidence against the other six.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if any departmental enquiry was made with regard to each and every one of these defalcations and, if so, what is the result of that departmental enquiry in regard to the allocation of responsibility with reference to such defalcations?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: Certainly departmental enquiry was made before any action was taken against any individual member, and where it was found that there was sufficient evidence cases were instituted. So far as the other cases are concerned, only departmental action was taken.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what was the result of the departmental enquiry in regard to Cox's Bazar Union Urban Bank?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I want notice.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he knows anything about any one of these twelve cases specifically in which departmental enquiry was made and can he enlighten us about the result of departmental enquiry into any one of these cases?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I want notice.

Mr. Syed ABDUL MAJID: Will the Hon'ble Minister be pleased to state the names of the particular societies in respect of which criminal action was taken out of the twelve?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I cannot say offhand.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he had seen the file before he came to answer this question?

Mr. DEPUTY SPEAKER: That question does not arise.

Mr. Syed ABDUL MAJID: Will the Hon'ble Minister be pleased to state if he is prepared to direct a departmental enquiry to be made in each of the four cases which have failed?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: As for these four cases, I am sorry to bring to the notice of the House that as a matter of fact the accused persons were the directors and influential members of some of these banks, and the witnesses who were under their influence could not be induced to give evidence in these cases. So the cases automatically failed, because without the co-operation of the villagers and their honesty and integrity it is impossible for the departmental officers to bring such cases to a successful termination

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to accept this question as held over in view of his unpreparedness, as he has himself admitted?

The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN: I have no objection.

(Accordingly the question was held over.)

Point of Order.

Dr. NALINAKSHA SANYAL: Mr. Deputy Speaker, Sir, may I know what arrangements have been made with regard to the Deputy Speaker's position? With regard to both the questions that I raised on a point of order as to the administrative arrangements of the office of the Assembly Department and also that of remuneration and responsibility of the Deputy Speaker, will you kindly let me know what

arrangements are being made? May I also submit in this connection that under the Government of India Act there is nothing to prevent the Speaker to hold a remunerative office outside India and at the same time continue to be the Speaker of the Assembly?

Khwaja Sir NAZIMUDDIN: I submit that that question need not be taken up now. It may be taken up later on.

Mr. DEPUTY SPEAKER: I agree with Sir Nazimuddin that it is now premature to come to a decision on this question. As a matter of fact, I do not know yet as to what is actually the position. First of all, a reference will have to be made to the Hon'ble Speaker who is still in Calcutta and then a reference will also have to be made to the Constitution and Elections Branch of the Home Department. I will consider this matter as soon as possible and consult both the Hon'ble Speaker and the Hon'ble the Chief Minister and then after ascertaining the actual facts I will give my decision.

Dr. NALINAKSHA SANYAL: Will it be possible to give it to-morrow?

Mr. DEPUTY SPEAKER: I will try to give my decision to-morrow or the day after. I am getting into touch with the Hon'ble Speaker, the Hon'ble Chief Minister and the Constitution and Elections Department and I will give my decision as early as possible.

Dr. NALINAKSHA SANYAL: Before Mr. Speaker leaves Calcutta?

Mr. DEPUTY SPEAKER: Yes.

DEMAND FOR GRANT.

10—Forest.

The Hon'ble Mr. UPENDRA NATH BARMAN: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 14,69,000 be granted for expenditure under the head "10—Forest,".

In moving for the grant it may not be out of place to attempt a brief outline of the general policy followed by Government in the administration of State forests. Broadly speaking the policy of Government is to conserve all valuable forests in order to maintain local and provincial supplies of timber and fuel, and to protect the countryside against flood

and drought. The sole object with which State forests are administered is public benefit. In some cases the public to be benefited is the whole body of tax-payers; in others, the people of the tract within which the forest is situated; but in almost all cases the constitution and preservation of a forest involve, in greater or less degree, the regulation of rights and the restriction of privileges of user in the forest area which may have previously been enjoyed by the inhabitants of its immediate neighbourhood. This regulation and restriction are justified only when the advantage to be gained by the public is great; and the cardinal principle observed is that the rights and privileges of individuals must be limited, otherwise than for their own benefit, only in such degree as is absolutely necessary to secure that advantage. The Indian Forest Act provides two distinct procedures for the management of forests. The procedure under Chapter IV of the Act, whereby forests are declared to be protected, is applied where the rights to which the area is subject are extensive, and the forest is to be managed mainly in the interests of the local community. The rights are recorded and regulated in order to provide for their more beneficial exercise rather than to override them in the public interest. Chapter II of the Act provides the other procedure by which reserved forests are constituted. This procedure is stricter and is applied to forests, the preservation of which is essential on climatic or physical grounds or to those which afford a supply of valuable timbers for commercial purposes. The procedure under Chapter IV may also be provisional and introductory to reservation under Chapter II.

Sir, with this observation, I commend my motion to the acceptance of the House.

Mr. DEPUTY SPEAKER: Dr. Sanyal, I would like to fix some time limit for speeches. I hope you will not take more than 10 minutes.

Dr. NALINAKSHA SANYAL: As mine is the first speech I would take 15 minutes.

Mr. DEPUTY SPEAKER: All right.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that the demand of Rs. 14,69,000 for expenditure under the head "10—Forest" be reduced by Rs. 100. My object is to raise a discussion on the general policy regarding forests and forest administration and particularly to draw attention to the desirability of increasing the facilities for suitable training and employment of Bengalees in the various grades of services in the Forest Department, specially in the superior services.

Sir, in an atmosphere of complete unreality it is difficult to speak in a comprehensive manner drawing attention to the various evils and various acts of omission and commission in reference to the administration of a particular department of Government. Sir, the importance of forests in the economic life of the province is hardly realised and it is regretted that neither the people in general nor the Government of Bengal in particular have taken this matter with as much seriousness as it demands. The forests of Bengal are practically the life and soul of the province of Bengal. It is on the forests that the question of erosion, of flood, of drought very largely depends, in particular in some specific districts of the province, and also the valuable commercial products that are obtainable from the forests are not sufficiently explored to the benefit of the province. We have ranges of forests to the north, to the east, to the south and to the west of the province, and I submit that it is high time that Government should come forward with a definite and co-ordinated policy in regard to conservation and regeneration of the forests of the province.

The Hon'ble Minister has stated in his introductory remarks that the policy that the Government follows in the administration of forests is "public benefit" It is too vague an enunciation of policy, for from the accounts of revenue receipts and expenditure it appears that the forests are maintained more for the benefit of the Forest Department than for the public in general. For example, we find that the revenue receipts from 1937-38 to 1942-43 budget have gone up from 21·5 lakhs to 26 lakhs, whereas the expenditure has gone up from 15·6 lakhs to 18·7 lakhs. There has been an increase of 4½ lakhs of revenue, but corresponding to that the administrative department has claimed an increase of 3 lakhs of rupees and this has been done as a permanent load on the expenditure side, whereas on the revenue side the increase is due to temporary accretions due to special orders from the Supply Departmnt, and due to general increase of demand for timber and higher prices. Sir, we submit that the time has come when Government should appoint a special committee of expert officers to review the whole question and determine the entire policy with regard to forests in the Darjeeling district, in Chittagong and in Mymensingh and Dacca districts as well as in the Sunderbans area and in Western Bengal. Sir, in 1938, Government realised the necessity of an immediate enquiry into the conditions of West Bengal forests and, Sir, in the resolution published on the 25th July, 1938, Government had recognised that there had been a progressive denudation of forests in West Bengal by tenants and private owners. The supply of timber and fire wood has been in danger, and there was reason to believe that owing to soil erosion large tracts of land were becoming poor and almost unproductive. There were also reasons to apprehend—the resolution went on—that the destruction of forests was rendering West Bengal as a

whole more and more liable to flood and drought. Although a committee was appointed in 1938 and the committee reported in 1939, yet in the year of grace 1942 we are not aware what steps Government have taken to act up to the recommendations of the committee for conservation and reafforestation of the Western Bengal forests.

The problems connected with the forest administration have from time to time been drawn attention to on the floor of the House through questions. So far as I have been able to gather, not being an expert myself, these problems resolve mainly under two heads, namely, conservation and maintenance and regeneration and reafforestation. But along with these there were other questions also which require investigation, viz., the necessity and desirability of extending State ownership as against private ownership of forests and the question of management of private owned forests either by the private owners under certain restrictions or under certain kind of independent trusts controlled by Government. The other question that requires very careful examination is the machinery for sale of forest products and collection of various accounts of economic products in the forests.

The researches on the forest problems also require careful handling. So far we have depended upon the Central Government for forest researches. It is time that we should do something in the line ourselves. This question struck me, particularly in connection with the extension of cinchona plantations where, when I had been to the area myself I discovered that hardly any well-planned policy was being pursued in regard to extension of cinchona plantation. The technical side of cinchona, the industrial production of cinchona, comes under the Industries Department, but the maintenance of cinchona plantation and extension thereof came under the Forest Department. The Forest Department was not directly interested in the financial success of cinchona plantation and yet the province of Bengal needed extension so badly. (Cries of "Hear, hear" from the Opposition benches.) I have also noticed that large tracts of valuable forest land were given away either on lease or on long term arrangement to parties who are not using the forests in the best interest of the province. I have discovered that large areas have been leased out to tea gardens and companies that have capital from outside Bengal, that have been standing in the way of increasing reafforestation and particularly extending cinchona cultivation. Government should come to some decision in regard to these matters as well. The question of protection and the question of production—these are, as I understand, two outstanding problems in the Forest Department. Some forests are required to be maintained and conserved for protection of the people and some others are for commercial purposes considered to be productive. With regard to these two classes of forests, arrangements should be made independently as

far as possible to keep the accounting of these two in different ways, so that we can understand the commercial success of the productive section of the forests. In course of enquiries into such questions when we discussed these in the Public Accounts Committee, we have discovered that it is very difficult to keep control over expenditure of the Forest Department, because the expenses are trickling through the hands of a number of officers staying at different outstations. It is also very difficult for the Audit Department to find out how far some of the expenses were justified. Arrangements should be made to see that where it is a question of productive department commercial accounting are as far as possible maintained.

In this connection I may refer to the Siliguri Saw Mill. My friend Rai Harendra Nath Chaudhuri is smiling. Every year he had drawn attention to the state of affairs in that saw mill leading to a virtual subsidy to a most uneconomic arrangement. From last year of course the position I know has changed and the Forest Department has been able to justify the maintenance of the saw mill. Sir, we would like the Government to examine these carefully and to have proper accounting of the saw mill maintained, so that we can understand how far the maintenance has been successful on a commercial basis.

Sir, I would only draw attention to one other matter before I conclude, namely, the employment of Bengalis in the Forest Department. I have carefully examined the Civil List and as far as I have been able to ascertain, I have found that there is not one Bengali Conservator of Forests There are two Conservators of Forests, both of whom are Europeans. I have tried to examine the qualifications of these gentlemen. It is not desirable for me to enter into that side, but I have not been convinced that they are of such outstanding merit that no suitable Bengali can be available. Amongst the Deputy and Assistant Conservators of Forests also there is a comparative paucity of Bengalis.

(At this stage the member reached his time-limit but was allowed to speak for one minute more.)

This deplorable state of affairs has been possible, because there is no suitable arrangement for training Bengalis and giving them opportunities to be absorbed in higher posts when an opportunity arises. Sir, we claim that the Bengali brain is in no way inferior to the Europeans in the management and handling of plants, as Bengalis have shown their aptitute in other fields. We should have ample opportunity for developing the resources of the province in every sphere of our work and I hope the Hon'ble Minister concerned will see that, in future, no other recruitment is indulged in except of Bengalis for the purposes of the Forest Department.

Sir, we have also found that there has been careless expenditure involved in the matter of movements of the Forest office from Calcutta to Darjeeling, and recently there has been also a splitting up of the offices. Sir, I am not very sure what assurances were given by the Forest Department when the Head Office was transferred from Calcutta to Darjeeling. We would ask Government to enquire into these questions.

Mr. Mirza ABDUL HAFIZ: Sir, I beg to move that the demand of Rs. 14,69,000 under the head "10—Forest" be reduced by Rs. 100. The object of my motion is to raise a discussion about the grievances of the tenants of the Atia forest in the district of Mymensingh.

Sir, I am not certain about the boundary line of the Atia forests but the forests beginning from Madhupur and passing through several thanas of each of the subdivisions of Tangail, Mymensingh Sadar, Kishoreganj and Dacca up to Joydebpur railway station and beyond including the Madhupur forest, Atia forest, Bhowal forest, etc., cover over a hundred miles and are next to the forests of Sunderbans. I am to deal with the Atia forests only.

Sir, these Atia forests were notified as reserved forests in the years 1927 and 1928 and they were treated perhaps as protected forests from sometimes before. The forests belong to a good number of private proprietors, big and small. They signed an agreement in favour of the Government for its management, etc., for a period of ten years which expired on the 31st of March, 1941. I am in doubt whether the proprietors have signed again for a fresh agreement but an attempt was being made by an underhand policy sometimes back by some persons of the Department. Sir, to give a bit description, I beg to submit that the Atia forest is scattered over an extensive area of arable lands interspersed with patches of jungles standing as islands in the midst of the cultivated fields comprising about a hundred villages and the people of those villages cultivate those arable lands. These are the facts admitted by the Government in starred question No. 241 of the September session of 1940 of the Bengal Legislative Assembly made by the honourable mover himself.

But does the Government derive any income from the management of the forest? Absolutely nothing, *vide* answer *(b)(iii)* of the aforesaid question. Government admits that there is no income. So, Sir, if the Government does not earn anything therefrom—what has it earned except want of confidence of the local public in the department for unnecessary oppressions? Sir, oppressions and suppressions, omissions and commissions have been notoriously inflicted upon the poor *raiyats* of the locality for this sufficiently long period of time—in multifarious ways by instituting criminal cases in criminal courts and by cases in local thanas and so on—what for—not infrequently for extortion of

money, for illegal gratification. There might have been some true cases but it cannot be denied that the *raiyats* have got no grievances for various reasons. In three years from 1926-28, over 150 cases were made by the forest officers against the *raiyats* and some counter cases against the officers by the *raiyats* though very small in number (*vide* question No. 27, volume 31, No. 1 of 1929), oppressions and extortions were day to day incidents. Nobody can swear by putting his hands upon his breasts that such oppressions for some fuels, for cattle, for this and that do not occur very often even now. I cannot say now how many hundreds of cases have been made from the year 1929 up till now, but their number is apprehended not to be a few only.

This can be guessed also from the following staff of the Atia forest according to question 26 unstarred of 1929 in the same volume.

Extra Assistant Conservator of Forests	1
Forest Rangers	2
Deputy Rangers	2
Foresters	10
Revenue Collectors	3
Forest Guards	40
Watchers	6
Peon and orderlies	7
Dakwalla	1
Chaukidar	1
Sweeper	1
Clerks	4
Majhies	4
Boatmen	7
Total ...	83

Their maintenance cost is Rs. 27,273-5. I do not know what are the present staff and what are their maintenance charge per annum at present. The Hon'ble Minister may furnish the House with that information.

Sir, what will these forest guards, watchers, peon and orderlies do there if they do not sing the chorus of "Shyama Huq Ki Jai" and realise some two pice from the poor *raiyats* there?

Sir, I know there are utility and necessity of forests in every country in the world for some scientific grounds for proper rainfall in time and out of time, for preservation of many trees and plants, animals and

animate objects and so on and consequently there is necessity of their protection and reservation but I do not find any reason why small patches of jungles standing as islands in the midst of cultivated fields and such arable lands around it would be limited into the reservation area at inexpressible disadvantages to the poor *raiyats* of the locality. Can there be any other ground, somebody may ask, if it be not for an evil motive of some oppression and extortion?

Sir, a similar cut motion was moved for releasing the Atia forest by the then Bengal Legislative Council on March 19, 1929 and it was passed by a majority of votes in its bureaucratic regime. It was not given effect to and has been thrown into the waste paper basket.

Sir, may we not now legitimately expect that under the present so-called national Shyma-Huq Ministry of Bengal, the Hon'ble Minister concerned will declare to-day on the floor of this House that the Atia forest in the district of Mymensingh be released henceforth?

In this connection I shall wait to see the conduct of the supporters of the Ministerial Party who pose themselves to be the "daradi" of the poor *raiyats*?

With these remarks I commend the motion for the acceptance of the House.

Khan Bahadur Maulvi JALALUDDIN AHMAD: Mr. Deputy Speaker, Sir, I have listened to the speech of the Hon'ble Minister in charge of the Forest and Excise for the indication of some guidance as to the policy which he proposes to follow in the administration of forests. I congratulate the present Minister on at least some indication which he has given in his statement. May I remind the House of the speech which was delivered by his predecessor in office, Mr. Raikut, who was called the "man of the forest"? Two things outlined in that speech were forest school with afforestation and improvement of forest administration. The improvement was confined to increase of protective staff but nothing for increase of forest wealth by reproduction or regeneration. So the development of forest or afforestation in West Bengal was nil. As for policy, the Bengal Government had none. It was drifting at the discretion of the local forest department.

I will now ask for your permission, Sir, to trace the history of the Forest Department right from the very beginning. It was a sheer unwisdom on the part of the Government of India to create forest reserves and to administer them at a time when Government had absolutely no knowledge about forest matters and when there had been no geological survey. So far back as in 1863 the Government of India in order to expand its activities in newer fields created the Forest in Bengal. When the idea of creating new departments like the nation-building departments of Agriculture and Industries was mooted, the

Government of India thought of creating a Department of Forests by declaring forest reserves. But, Sir, it is well known to every one of us that in spite of our having extensive forests under Government control and management in Bengal we have to import timber from abroad, especially Burma. Excepting to declare reservation of forest tracts in Bengal, nothing has been done so far for their improvement, conservation or exploitation except that the forest people who used to earn their living by grazing their cattle in forest tracts and by collecting fuel wood have been made to pay heavy tolls to the public exchequer in return for what they get from the forests. These poor people have now been put to great troubles and difficulties on account of the imposition of such tolls. Originally these forest people were settled in areas which were then khasmahal areas and they were allowed to enjoy the forest produce although there was nothing in writing that they could enjoy such advantages. The Government of India under section 6 of the Indian Forest Act notified without instituting any geological survey even without any scientific enquiry whatsoever certain tracts in Chittagong to be forest areas, the result being that the reserved forest area was increased by one stroke of the pen from over 100 square miles to over 1,000 square miles. Then, Sir, in 1925, when Sir Frederick Sachse of Land Revenue Commission fame was the Collector of Chittagong, he found that there was a constant friction between the khasmahal forest authorities and the reserved forest authorities, he was pleased to hand over all the khasmahal forests to the Forest Department. But, no policy was chalked out for the conservation and improvement of forests since the year 1863 when the Forest Department was first brought into being.

Sir, I will not try to forget what was or was not done in the remote past but I will content myself now by referring to what has been done and is being done for the last four years. I am of opinion, Sir, that the Forest Department as at present constituted is incapable of any improvement. It has been established as a Department of Government only as a show just to be on par with European countries with a Forest Department. Here we have a Forest Department only for the purpose of deriving some revenue so that it may go to support the Forest Department to keep the tenants of Bengal under hardship. In this respect, Sir, I endorse every word of Dr. Sanyal that forest is really a source of wealth which could and should have been conserved and improved if there had been any serious attempt on the part of Government under whose care it has been placed. From the year 1863 to this time, that is, for nearly eighty years, nothing has been done. There is a system of conservation and improvement prevalent in Burma with concession to people even that system has not been adopted in Bengal. Even the concessions given by the Burma Government to its tenants and cultivators in forest areas have not been extended by the Government of Bengal to its own people. In Burma

forest people enjoy the rights of free use of fuel and of pasture land for their cattle and there has been no complaint against its tenants with regard to the conservation of its forests. But in Bengal for even creeper money must be exacted from the poor forest people and all sorts of legal and illegal exactions are going on. Corruption is rampant in forest areas and there are all sorts of prosecutions, legal and illegal. And even with the exaction in the shape of tolls and fees the Forest Department is not a self-contained department. It is simply like a white elephant. It is only a losing concern and is more like an expenditure department without any corresponding income. Up to 1935-36 the department was being run at a loss, the expenditure exceeding its income. It was practically a service department providing for such highly paid posts like the Conservator of Forests, Deputy Conservators and others, the incumbents of which have been brought out from England, having only crude theoretical knowledge without any practical idea and past experience. I do not think these people would have been able to hold such responsible posts anywhere else except in this unfortunate land. I hold a copy of the Forest Administration Report for 1939-40 and I find therein that the establishment charges are more than those for conservancy and reservation of forests. So the establishment cost is more than the direct work of the department with the result that there is neither any regeneration, afforestation nor any improvement in any sphere worth the name. Again, if you will go through the pages which deal with Chittagong forests you will be surprised to find that the Chittagong Forest Division is being worked without there being any working plan whatsoever although the old working plan of Mr. Cowan expired long before. There is no working plan. The success of the working in the Forest Department depends mainly upon the working plan and you will be surprised to know that there is no plan. In the administration report, under head "Management", under head "Regulation" and under head "Protection" there is no working plan in Chittagong Division. In the Chittagong Division a working plan was prepared and submitted to Government in 1931 by Mr. Gupta, the then Divisional Forest Officer, but that was rejected by the Government. Since then there has been no working plan.

(At this stage the red light was lit.)

One minute, please. Then, Sir, I brought it to the notice of the old Government that the increase of forest income was due on account of forest prosecutions under section 68 under which large powers were given to Forest Officers. I would point it out to the Hon'ble Minister that the old Indian Forest Act cannot be applied to the present condition of Bengal. I put a question to the last Minister and asked him to bring in a new Bengal Forest Act. I ask the present Hon'ble Minister to give his attention to this and to bring in a new Bengal Forest Act for running the Forest Department properly.

In this connection I would bring to the notice of the Hon'ble Minister that there was a *Disforestation* Committee appointed by the last Government for Chittagong, Sunderbans of Rampal and Charandwip block. I think this Government has stepped into the shoes of the old Government and although some of the members have changed sides they would not say that it was not their concern but I think they would accept the commitments of the old Government, specially as the Chief Minister is there. The Chief Minister knows that Disforestation Committee was appointed for some areas of Sunderbans which were only fit for paddy cultivation and have no forest value. This was appointed on the recommendation of Co-operative Department and the proposal was initiated by the former Collector and Commissioner.

Mr. DEPUTY SPEAKER: Khan Bahadur, please sit down.

Khan Bahadur Maulvi JALALUDDIN AHMAD: One minute, Sir. I would also draw the attention of the Hon'ble Minister in charge of Co-operative Department to the fact that the committee so appointed has finished its labours after two or three years on the question of the release of Rampal and Charandwip from the Forest Department. The Hon'ble Minister will find this from his files. But the result was as anticipated. The officials went one way and the non-officials went another way, and unfortunately one non-official member went to the side of the Collector and the Commissioner, although he did not attend any enquiry. Although the non-officials were in a monority the Chief Minister promised that in spite of the minority he would give best consideration to the minority report. I hope he will keep his promise and will give his personal attention to the release of Rampal and Charandwip. I also draw the attention of the Hon'ble Co-operative Minister to this fact.

Mr. DEPUTY SPEAKER: I propose to follow the following time-table.

Forest will be guillotined at 10·35. Stamps will take 25 minutes and will be guillotined at 11 a.m. Registration will take 30 minutes and will be guillotined at 11·30.

Mr. Datta, I hope you will finish in five minutes. Yes, Mr. Datta.

Mr. DHIRENDRA NATH DATTA: Sir, I do not like to inflict a long speech in view of the unreality of the situation and in view of the fact that what I have got to say has been said by the previous speakers and specially in view of the inattentive attitude of the members of the Assembly.

Sir, this is a subject which is very important because a large revenue can be raised from the Forest Department. Figures have been

mentioned by my friend Dr. Sanyal, but, Sir, this is a department in which a revenue of Rs. 26,18,000 is expected to be raised at a cost of Rs. 18,73,000. If a zemindar whose income is 26 lakhs spends 18 lakhs out of the revenue of 26 lakhs, certainly he is a zemindar who, it must be said, is not managing his estate properly.

Sir, another fact to which I have to draw the attention of the Hon'ble Minister is that this is a department in which out of 18 lakhs, 4 lakhs and odd are charged expenditure. This is much higher in proportion to the charged expenditure of other departments specially in view of the fact that this is a department which is really manned by the white people.

Then, Sir, it has been properly said by my friend Khan Bahadur Jalaluddin Ahmad that this is a department which is run without a plan. Specially after provincial autonomy has been inaugurated, there has been some pressure upon the Ministry in other departments, but so far as this department is concerned, there has not been much pressure on account of the fact that persons who are interested in this department are few as only Chittagong district, Jalpaiguri district, Darjeeling district and some portions of Mymensingh, Dacca and 24-Parganas are really affected. But, Sir, this is a matter in which we ought to take much more interest in view of the fact that Government revenue of the whole of Bengal can be raised substantially if the administration of this department is run with a plan and properly.

Sir, I shall not take much time of the House as what we have got to say has been said and I hope—I shall not hope in vain—that if the Minister in charge of this department takes up the matter seriously, then I am quite sure this department can be developed properly.

Sir, in this connection I would draw the attention of the Hon'ble Minister to the fact that there has not been any geological survey of the forests. I am quite sure that if there had been a geological survey, much mineral wealth would have been found in the forests.

Sir, with these few words I support the motion of Dr. Nalinaksha Sanyal.

Maulvi MANIRUDDIN AKHAND: Sir, I beg to move——

Mr. DEPUTY SPEAKER: You better support the motion of Dr. Sanyal.

Maulvi MANIRUDDIN AKHAND: Sir, my motion is entirely different.

Mr. DEPUTY SPEAKER: All right, you move your motion.

Maulvi MANIRUDDIN AKHAND: Sir, I beg to move that the demand of Rs. 14,69,000 for expenditure under head "10—Forest" be reduced by Rs. 100.

The development of forest industries by the Forest Department is a matter of great importance to the province and especially to agriculturists who live on the outskirts of the forests.

Almost all the provinces have some forest industries from forest produces suitable for such industries, such as manufacture from wood, paper from bamboo pulp, matches and boxes, etc., and they have engaged experts to find out suitabilities of forest produce for some industries. But Bengal lags behind; several other industries might also be attempted such as making of charcoal, extraction of turpentine, manufacture of essences and oils from plants and extraction of gums, resins and dyeing and tanning materials. Wooden handles and frames for agricultural implements and furniture can also be made from wood.

If the new industries can be started or existing industries, if any, developed in which cultivators can engage themselves they will be amply benefited The great number of cultivators have at least 2 to 4 months absolute leisure in the year. To improve their economic condition Government should bring industrial opportunities within their easy reach to fill up their spare time.

Not only the agricultural and labour classes in the neighbourhood of the forest will be benefited but others from distant places may migrate to industrial centres to supplement their incomes.

Pressure on land has been so great that the cultivators are compelled to migrate even outside the province. If they are encouraged and impediments of migration are removed, colonies in suitable places by the side of the forest may be formed and with State aid and loans forest industries can be started and developed.

With these few words, I commend my motion for the acceptance of the House.

The Hon'ble Mr. UPENDRA NATH BARMAN: Mr. Deputy Speaker, Sir, I am grateful to my friends who have criticised the forest budget and have given many helpful suggestions while doing the same.

So many points have been raised and so many facts have been mentioned regarding the administration of the Forest Department that it will not be possible for me to answer each and every fact and each and every point within the short space of time allotted to me and, especially, due to another fact, namely, that within the short time I have not been able to study all the facts and go through all the reports and resolutions and the Assembly questions that have been referred

to by my friends in their criticisms. I shall deal with a few of the facts and a few of the points raised on the floor of the House to-day, but when I do not reply to any point at all it must be understood that either I could not gather all the facts that have been stated or that I am not conversant with the actual state of affairs mentioned in their speeches. I shall humbly ask my honourable friends to put in black and white the suggestions and allegations that they have brought against my department and give me helpful hints for the improvement of my department. I shall be thankful to them for that.

First of all, the revenue policy of the department has been criticised by some. My honourable friend Mr. Dhirendra Nath Datta has criticised the Forest Department saying that it is not as efficient as a zemindari would have been. I would humbly ask him to consider the Forest Department not in the light of administration of private zemindaris. The private zemindar exploits the forest for the purpose of revenue and collects as much revenue as he can, but Government does not follow that policy. The policy of Government is the conservation of forests and the administration of the revenue policy in such a manner that at no period of futurity the revenue from the Forest Department can decrease in any way. On the other hand, the policy of Government is to administer the revenue policy in such a way that with the lapse of every year the revenue of Government increases several times when the new plantations under the working plan mature after the lapse of a certain period. I may cite only one instance giving the present revenue position. The expenditure has risen year after year. At the same time, we should not lose sight of the income that we have derived from the department side by side. In the year 1931-32 the revenue was Rs. 16,94,000; the expenditure was Rs. 14,97,000. So the income was Rs. 1,97,000. I do not like to deal with all the figures year by year, but I would like simply to state that each succeeding year the revenue has gone up, so that in the year 1940-41 the revenue was Rs. 26,34,000 and the expenditure was Rs. 18,00,000 thus giving a net balance of Rs. 8,34,000. Thus, within the course of these 10 years, the revenue has been increased by four-fold by our new working plan that has been adopted everywhere and in every part of the forest that is administered by Government. We expect that when the new plants that we are now generating will mature we shall get at least 100 times the revenue that we are getting from such forests now. So, the revenue policy of Government cannot be compared with the revenue policy of a private zemindar.

I have been told in the course of this discussion that Chittagong has got no working plan. I have enquired into the matter and I am in a position to say that it is not correct. If I find that there is no working plan, certainly it will be the first and foremost duty of this Government to see that a working plan may be made immediately.

I can only say that we have a working plan for Chittagong forests just as we have got working plans for every other forest under our management.

As regards Atia forests one of my friends has said that Government should release them. I shall mention a few facts and circumstances about that. The reservation of Atia forests is possible in the interest of both tenants and landlords. So far as the interest of the landlords is concerned, it may be noted that this forest was declared to be a reserve forest under the provisions of section 30 of the Indian Forest Act at the request of more than two-thirds of the proprietors. The term of the present agreement with the proprietors expired on 31st March, 1941, but the proprietors are renewing that agreement for a further period of ten years and pending a final settlement about renewal the present arrangement will continue. If the interest of the landlords is at stake, they would not have allowed this Government to renew it for a further period. As regards the tenants, I may point out that before reservation of the forest, a Forest Settlement Officer was appointed on 19th June, 1927, under section 4 of the Indian Forest Act to enquire into the existing rights of the tenants.

So, whatever rights the tenants had, before the forest was taken over by Government, are intact and cannot be taken away by Government or by the officers of Government. The difficulties that arise in connection with the objections and criticisms lavelled against the Government in the matter of administration of forests are due to certain facts which I may mention. Before the forests were properly managed, the tenants that lived by the side of these forests had unlimited use of the forest produce. Formerly, we allowed this sort of abuse of the forest and of forest produce. Certainly no forest can be improved and maintained under such conditions. It has been proved by examination in various localities. If Government want to preserve and maintain the forests not only for the benefit of the present generation but also for future generations, then those rights which the tenants had previously enjoyed must be curtailed and this curtailment is necessary in the interests of the forests and in the interests of the province as a whole.

If there are any general grievances felt by the tenants living by the side of these forests and if there are any oppressions practised upon the tenants by the Department or Departmental officers, I give this assurance that if they are brought to my notice, I shall enquire into the matter and if I find that the tenants are really subjected to unnecessary *zulum* in any direction, I shall try my utmost to remove them.

Dr. NALINAKSHA SANYAL: Sir, before you proceed to put the motions to vote, I would like to be enlightened about one thing

referred to by the Hon'ble Minister in his reply. He said that the forest income would go up by a hundred per cent. We find that the maximum yield in 1937-38 had been Rs. 33,45,000. We have so far not reached even the maximum yield and this year the budget figure is Rs. 26 lakhs. I would like to be enlightened on what figure he based his statement that the income would go up by one hundred per cent. which would mean about Rs. 33 crores on the basis of 1937-38. Wild statements like that are not helpful.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 14,69,000 under the head "10—Forest" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Mirza Abdul Hafiz that the demand of Rs. 14,69,000 under the head "10—Forest" be reduced by Rs. 100 was then put and lost.

The motion of Maulvi Maniruddin Akhand that the demand of Rs. 14,69,000 under the head "10—Forest" be reduced by Rs. 100 was then put and lost.

The main motion of the Hon'ble Mr. Upendra Nath Barman that a sum of Rs. 14,69,000 be granted for expenditure under the head "10—Forest" was then put and agreed to.

9—Stamps.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Mr. Deputy Speaker, Sir, on the recommendation of the Governor of Bengal, I beg to move that sum of Rs. 4,75,000 be granted for expenditure under the head "9—Stamps."

Maulvi MUHAMMAD ISRAIL: Sir, I beg to move that the demand of Rs. 4,75,000 under the head "9—Stamps" be reduced by Rs. 100. My object is to raise a discussion about the commission paid to vendors of judicial and non-judicial stamps.

Sir, the commission that is paid to the vendors of judicial and non-judicial stamps has been reduced to such an extent that many of the vendors had to discontinue their profession. There has been a consequent inconvenience to the public in general. In the mofussil it is not possible to find any stamps for daily requirements and people have to go to distant towns only to secure stamps from district or subdivisional headquarters. Nowadays there are Union Courts, Union Benches, Debt Settlement Boards and sub-registry offices all over the mofussil areas.

Court-fees are necessary for filing applications before Debt Settlement Boards, for filing suits before Union Courts and for filing for processes in Sub-Registrars' offices. But no court-fees are available

in the mofussil in view of the fact that many of the vendors have given up their profession. In the Civil and Criminal Courts of the subdivisional headquarters and also in munsifis court-fees run short on many a day, and applications for suits cannot be filed for want of court-fees. In such cases, the Courts have to be approached for accepting applications on a written guarantee by the pleaders or mukhtars that the court-fees will be supplied as soon as available. Then, Sir, there are other difficulties which we have ourselves experienced in Subdivisional Courts, that court-fees cannot be had from the sub-treasuries on all days even for filing applications for suits before Courts, in view of the fact that there are only three days fixed for vendors to get court-fees. So, unless the number of such days are increased and also the commission paid to the vendors are increased this difficulty will continue and also it will not be possible to obtain court-fees in mofassil areas and towns. So, I appeal to the Hon'ble Minister to kindly see that the commission paid to the vendors is increased and the days that are fixed for the chalan of the sale of court-fees are also increased. With these words, Sir, I commend my motion to the acceptance of the House.

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Mr. Deputy Speaker, Sir, the sale of non-judicial stamps is the main question that has been raised by the previous speaker who has also referred to the commission paid to vendors in respect of judicial and non-judicial stamps. So far, no complaint has reached Government with reference to the sale of these stamps or with reference to the commission given. If the honourable member thinks that there is any trouble or difficulty I shall certainly be pleased to enquire into the matter.

The motion of Maulvi Muhammad Israil that the demand of Rs. 4,75,000 for expenditure under the head "9—Stamps" be reduced by Rs. 100, was put and lost.

The main motion of the Hon'ble Mr. Pramatha Nath Banerjee that a sum of Rs. 4,75,000 be granted for expenditure under the head "9—Stamps" was then put and agreed to.

11—Registration.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Mr. Deputy Speaker, Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 19,57,300 be granted for expenditure under the head "11—Registration."

Maulana MD. ABDUL AZIZ: Sir, I beg to move that the demand of Rs. 19,57,300 under the head "11—Registration" be reduced by Rs. 100.

এই ছাঁটাই প্রস্তাব আন্‌বার উদ্দেশ্য হচ্চে বাংলা সরকার রেজিষ্ট্রেশন বিভাগে সাব-রেজিষ্ট্রার নিয়োগ কর্‌তে যেয়ে ফাইনাল মাদ্রাসা পাশ ইংরাজী জানা মৌলবী সাহেবদের প্রতি বরাবর অন্যায় অবিচার কোরে আস্‌চেন। এই ন্যায্য দাবী পূরণ কর্‌তে অবহেলা কোরে তাদের অধিকার হ'তে বঞ্চিত করেছেন, আইনমত এই দাবী থাকা সত্তেও তাঁদেরে সাবরেজিষ্ট্রার রূপে নিয়োগ কর্‌ছেন না। এবিষয়ে আমি গভর্ণমেণ্টের সাবরেজিষ্ট্রার নিয়োগের যে নিয়মগুলি আছে তা পড়ে শোনাচ্চি।

Qualifications for recruitment (showing rules for appointment in the Registration Department).

(*i*) They must have passed the Islamic Matriculation and Intermediate Examinations, or the I.A. or the I.Sc. Examination of the Calcutta University or the corresponding examinations of any other recognised Indian University, or have qualifications declared by Government to be equivalent to passing such examinations.

(*ii*) They must have passed the higher standard or the final examination of the Arabic Department of a recognised Madrasah, and have sufficient knowledge of English for the proper performance of the duties of a Sub-Registrar.

স্যার, এখানে রুলে দেখা যাচেচ যে যেসব মৌলভী সাহেবরা ফাইনাল মাদ্রাসা পাশ ক'রেছেন এবং ইংরাজী জানেন (শতকরা ৯০ জন ইংরাজী নিয়ে পাশ করেন, এবং তাঁরা ভাল রকম ইংরাজী জানেন), তাঁদের সম্বন্ধে এখানে সুযোগ রয়েছে যে তাঁরা সাবরেজিষ্ট্রার হতে পারেন, কিন্তু দুঃখের বিষয় তাঁদেরে এই নিযুক্ত হওয়ার অধিকার থেকে বঞ্চিত করা হচেচ। গত ৪ বৎসর যাবৎ মাননীয় প্রধান মন্ত্রী মহোদয় যখন তিনি রেজিষ্ট্রেশন বিভাগের মন্ত্রী ছিলেন, প্রতি বৎসর একজন কোরে মৌলভী সাহেবকে direct appointment এর জন্য বহুবার প্রতিশ্রুতি দিয়েছিলেন; এমন কি একবার পার্টি মিটিংএ (বোধ হয় তাঁর স্মরণ থাক্‌বে) সকলের সাম্‌নে ব'লেছিলেন যে আমি একজন মৌলভী সাহেবকে সাবরেজিষ্টারী দিয়ে দিলাম। তিনি বলেছিলেন আমার direct recruitmentএ যারা যাবে তাদের মধ্য থেকে একজন মৌলভী সাহেবকে আমি দেব। তারপরে দিনের পর দিন, মাসের পর মাস, বৎসরের পর বৎসর অতিবাহিত হইয়া ৪ বৎসর চলে গেছে, কিন্তু আজ পর্য্যন্ত কিছুই হ'ল না, অর্থাৎ মোল্লাদের ভাগ্যে আর কিছুই জুটল না। মাননীয় মন্ত্রী মহোদয় ডাল-ভাতের প্রতিশ্রুতি দিয়েছিলেন, কিন্তু মৌলভী সাহেবদের জন্য কিছুই করেন নি।

স্যার, এই সাবরেজিষ্ট্রার কি ভাবে নিযুক্ত করা হয়ে থাকে বল্‌চি। (১) direct appointment যা গভর্ণমেণ্ট দেন। যত জন লোক নেওয়া হয় তার 20 per cent. লোক direct appointmentএ নেওয়া হয়; (২) তার পরে আর $\frac{1}{5}$th (?) Inspector-General of Registrationএর nominationএ নেওয়া হয়, আর বাকী যা থাকে 60 per cent. সে Divisional Commissionerদের nominationএ নেওয়া হয়। কিন্তু এই হতভাগ্য মৌলভী সাহেবরা না পাচেচন I.-G. R.এর nomination, না পাচেচন Commissionerএর nomination, না পাচেচন direct appointment.

এই মৌলভী সাহেবরা কত প্রকার কাজে লাগে। ৫ বৎসর পরে পরে এদের কাজে লাগান যায়। ভোট বিলি করবার জন্য, ভোট অর্জন করবার জন্য, ভোট নেবার জন্য এদের কাছে একবার যেতে হয়। তাদের কাজের কথা এখন আমাদের মন্ত্রী মহোদয়েরা ভুলে গেছেন। গত ৫ বৎসর অনেক বলেছি, মন্ত্রী মহোদয় কোন দিন সে কথা শোনেন নি কিন্তু এর কৈফিয়ৎ একদিন দিতে হবে।

খ্রিটিশ রাজত্বের পূর্ব্বে মুসলমান আমলে তারা দক্ষতার সহিত রাজকার্য্য পরিচালনা ক'রতেন। তাঁদের মধ্যে কেউ কাজী, কেউবা কাজীউল্‌কোজা অর্থাৎ ম্যাজিষ্ট্রেট, জজ ইত্যাদি বড় বড় পদে নিযুক্ত ছিলেন। ইংরেজ রাজত্বের প্রারম্ভেও তাঁহারা ঐ সমস্ত গাম্ভিত্বপূর্ণ কাজে অধিষ্ঠিত ছিলেন। পরে পারসি ভাষার পরিবর্ত্তে ইংরেজি ভাষার প্রবর্ত্তন হইলে তাঁহারা ঐ সব পদ হইতে সরিয়া পড়েন। আর এখন বর্ত্তমান ডিপার্টমেণ্টের মধ্যে আমরা দেখ্‌তে পাই যে এই সামান্য সাবরেজিষ্ট্রার পদ ছাড়া তাদের অন্য কোথাও স্থান নাই, তাদের স্থান আছে মাত্র এখানেই (shows the books containing rules of appointment.) কাগজে আছে, রুলে আছে রেগুলেশনে আছে, কিন্তু চীফ্ মিনিষ্টারের মাথায় নাই, প্রাণে নাই, অন্তরে নাই। একেই বলে "কাজীর গাই খাতায় আছে গোশালায় নাই"। এটা আমার বড়ই দুঃখের কথা। তাঁকে অনেক বলেছি, অনেক অনুরোধ করেছি তাঁর ঘরে গিয়ে ব'লেছি। পার্টিতে বলেছি। আমার বন্ধুরা সাক্ষ্য দেবেন, আমি কত তাঁকে ব'লেছি। কিন্তু আমার কথা কোথায় মনে গেছে, কোন ফল পাই নি। আমি এজন্য বড়ই দুঃখিত। এখন আবার আমি চীফ মিনিষ্টার মহোদয়কে স্মরণ করিয়ে দিচ্ছি যে আজকের দিনেও শতকরা ৯৯ জন মুসলমান মৌলভীদের পাছে আছেন—যদি স্বীকার না করেন তাহলে সেটা দুঃখের বিষয়। যদি স্বীকার করেন তা'হলে সেটা আমাদের সৌভাগ্য। মাঝে মাঝে রোগ শোক হ'লে মোল্লাদের কাছে উপস্থিত হ'তে হয়। কাজেই আমি সময় থাকৃতে বলে দিচ্ছি যে তাদের কিছু দিন, নইলে হয়ত সারা বাংলায় "মোল্লাবিদ্রোহ" দেখা দিবে এবং যারা মোল্লাদেরে গলা টিপিয়া মার্‌তে চায়, মোল্লারা তাদের গলা উল্টা টিপে ধর্‌বে তখন ওরা বুঝ্‌তে পার্‌বে (laughter).

মেহেরবানী কোরে গোলমাল ক'র্‌বেন না। অবশেষে গভর্ণমেণ্টকে আমি বিশেষ-ভাবে অনুরোধ করিতেছি যে, তাঁরা যেন অনুগ্রহ কোরে এই ডিপার্টমেণ্টে মৌলবীদের নিয়োগ করেন, এবং এই সবরেজিষ্ট্রী বিভাগের চাকুরী মৌলবীদের জন্য রিজার্ভ রাখেন।

Maulvi AHMED ALI MRIDHA:

گاہے خمار نیست صد توبہ میکنم

چوں ساقی آمد انچہا از یاد میرود *

When intoxication is off—headache comes. I promise I shall not touch wine any more. Alas, when the cup-bearer appears, I forget the promise—needless to say. I drink again.

When there is a difficulty I go to Furfura Sherif. I make promises, lavish though they are. I promise to help Madrassahs, I promise to give them grants, recurring and capital liberally, and I make the promise without reservation. I promise in the name of Islam, in the name of Muslims—for the benefit of the Muslims one and all—for Madrassahs under old and new schemes. When I come back, my friends, the devils of the tamarind tree overpower me. They haunted me in my childhood, they haunted me in my youth, they haunt me to-day also whenever I am out of the clutches of the peers of Furfura. I promised to them that anybody who passed the Fazil examination of the Calcutta Alia Madrassah or corresponding examination elsewhere, I shall give them service. If they possess a little working knowledge in English I shall make them Hakim, if not full-fledged, at least of Sub-Registrar type.

Such was the promise of Hon'ble Mr. A. K. Fazlul Huq made a little over 4 years ago. The promise was repeated whenever a Cabinet crisis was apprehended. The promise has been repeated very recently also.

As we read through the departmental rules we find that anybody who passed the Fazil examination of the Calcutta Alia Madrassah and possessed working knowledge in English was eligible for Sub-Registrarship. Alternate qualification is that the candidate must pass the I.A. examination of the University.

During the last 4 years there were many suitable candidates from amongst the Ulemas of Bengal. But blood always proved thicker than water.

Single qualification or absence of any qualification would do for a kin but a Muslim not connected by ties marital or otherwise though in possession of double qualification and a Syed in the bargain could not succeed. He passed the Fazil examination and passed the I.A. examination and came of a highly respectable family. He applied when he was aged 23. He repeated the application when he scored 24 and 25. He knocked the door but always in vain. The reasons of failure given out—the ghost of the tamarind tree was on the shoulder of the man in power. The scions of Bani-Israil family were not exhausted. The poor Syed therefore was offered a job not Sub-Registrarship but a small and inferior post.

Now, therefore, the policy need be defined. Nepotism or no nepotism—qualification or no qualification—must be definitely stated in the rules for appointment of Sub-Registrars. The poor Inspector-General of Registration is helpless. Let people outside know that he is so. Wipe off the rules and make your own games.

There are friends just down from the tamarind tree. They will tell me that the present Government is in power for days three score

and ten only and that the old Government was responsible. Sir Nazimuddin, Mr. Shahid and Mr. Tamizuddin shall be put on the cross. May I know who was the man in charge as Minister in the Registration Department in the years from April 1937 to December 1941? Were Sir Nazim, Mr. Suhrawardy or Mr. Tamizuddin in any way connected with the Registration Department? Was the question of appointment of sub-registrars made a Cabinet subject? Out of 10 Ministers seven are now seen on the Ministerial side either as Ministers themselves or as supporters of the Ministry. Three only, the true leaguers Messrs. Tamizuddin, Suhrawardy and Sir Nazim are in opposition. Who then were the majority in the Cabinet? The deserters from the Muslim League, destroyers of the edifices of the father of the position of Nawab Khwaja Sir Salimullah Bahadur, the Maharajas and Nawabs were there and are there. Were these seven all powerless against the three mighty souls now in opposition? Was His Excellency also not just in the Cabinet meetings? Are then all the seven of the famous poem, all neuters, now having the only business to neutralise the energies of the tiger of Bengal of the Hindu Mahasabha variety let loose?

The ghost of the tamarind tree will not judge. He has no mind to judge. Let us therefore sing:

حافظ می خور و رندی کن و خوش باش ولی

دام تزویر مکن چون دیگران قرآن را *

"Oh, Hafiz! Drink wine, be mad and make merriment,

But for God's sake, do not misread the quoran to deceive the people."

Mr. P. BANERJI: Sir I beg to move that the demand of Rs. 19,57,300 for expenditure under the head "11—Registration" be reduced by Rs. 100.

Sir, I will just devote myself for the few minutes at my disposal in speaking of the location of the various registration offices. The location of the registration offices is mostly in the outlying places, particularly in places where it is not convenient for the people to attend. For instance, there was a registration office in a place in Rangpur for the last 15 years. That office has been removed from that place to another place at a distance of two miles, with the result that the people near about that area have been put to immense difficulties. I would give some concrete examples. There are registration offices both in Diamond Harbour and in Falta. These two offices are not necessary. I would therefore suggest that if one of them is abolished and a new office is created in Sirajganj, it will be more convenient for the people. Then, Sir, there are registration offices both in Alipore and in Behala while there is another registration office at Park Circus

for Dum Dum people, which is not at all necessary. Again, there are two very important places, viz., Kakdwip and Sagardwip along the big rivers, and it is very inconvenient for the people of Sagardwip to come across the river to Kakdwip to attend the registration office there. It is, therefore, necessary that there should be a registration office located in Sagardwip for the convenience of the people of that area. I would, therefore, suggest that the Hon'ble Minister will look into the location of different registration offices, abolish the offices where they are not necessary and start new offices in such places as will be convenient to the people of the areas concerned Government will not suffer for that, but at the same time there will be an immense good to the people in different parts of the province.

With these words, Sir, I move my motion.

Dr. NALINAKSHA SANYAL: Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 19,57,300 for expenditure under the head "11—Registration" be reduced by Rs. 100.

Sir, my friend Maulana Abdul Aziz in a previous speech has attacked the policy of appointments in this department on entirely separate grounds. We have, Sir, from time to time, seen how grievances of various character are entertained in regard to the appointments made in this department and we have felt that there must be something very wrong in the whole method of recruitment of Sub-Registrars and Registrars. The rules for appointment in the Registration Department at the present moment provide that the appointing authorities are the local Government but the appointments are made not on the recommendations of the Public Service Commission but on the recommendations of the Commissioners of Divisions and the Inspector-General of Registration. There is also provision, in exceptional cases, for direct appointments without calling for nomination at all. This system at the present moment raises very grave doubts about the working of the department, and in our humble opinion it leads to the possibility of corruption and patronage. I am not attacking the present Ministry with any particular charge of having indulged in patronage for appointments in this department, but it is within our knowledge, Sir, that during the previous regime patronage was actually indulged in in this department and when I tried to raise this question we found that we were faced with the difficulty that the appointments are made not on the recommendations of any technical authority which will examine the qualifications of the candidates specifically but on grounds entirely different from pure merit. Sir, the rules provide for certain minimum qualifications. The rules lay down that the qualifications of the candidates will be (1) that they must have passed the I.A., I.Sc., Islamic Matriculation examination or the Intermediate examination and (2) the rules also provide that

in certain exceptional cases Commissioners of Divisions and the Inspector-General of Registration are not precluded from nominating persons who may not have such qualifications at all. That, in my humble opinion, makes it possible for very unqualified persons to creep in and the important work of the Registration Department is likely to suffer if recruitment is made through such machinery.

I submit, Sir, that the general question should be reviewed about the machinery for recruitment in this department and the rules under which recruitments are at the present moment made. I also submit, Sir, that this is a defect which does not relate merely to the Registration Department only but also to other departments of Government where it is considered that certain classes of appointments which are below certain ranks are to be filled in by the department itself or by the local Government on the recommendation of the department without reference to any higher tribunal like the Public Service Commission. I submit that the whole question should be reviewed and the present procedure revised to ensure that merit alone may be the guiding principle for appointments in Government service and nothing else, subject of course to such communal ratio as may be agreed to by the communities and by competitive examinations within the communities.

MAULVI ABDUL WAHED : মাননীয় Deputy Speaker মহোদয়, আমি আমার দুই বন্ধুর কথা সমালোচনা করবার জন্য দাঁড়িয়েছি—প্রথম বন্ধু মৌলানা আবদুল আজিজ সাহেব এবং দ্বিতীয় বন্ধু, মৃধা আহাম্মদ আলি সাহেব। আমার বন্ধু, মৃধা সাহেব বলেছেন তেঁতুল গাছের ভূতের কথা। সেটা আমাদেরও চিন্তিত করেছে এবং আমরাও এটা অস্বীকার করি না—গত পাঁচটা বছর সেই ভূত প্রধানমন্ত্রীরূপ তেঁতুল গাছের ঘাড়ে চড়ে ছিল এবং সেই ভূত তাড়াবার জন্য বহু চেষ্টা করার পর এবার আমরা কৃতকার্য্য হয়েছি সেই ভূত তাড়াতে। কিন্তু যে দিকে ভূত গিয়েছে সেই দিকে যে আমার বন্ধুরাও গিয়েছেন। ইহাই দুঃখের বিষয়। আমার বন্ধু মৌলানা আবদুল আজিজ সাহেব বলেছেন যে মোল্লাদের পিছনে শতকরা ৯৯ই জন লোক আছে। এক জন যে বাদ পড়্‌ল, সেটা তিনি কি না সেটাই আমার জিজ্ঞাস্য। এবং এই সঙ্গে আমি বল্‌তে চাই যে আজকে বর্ত্তমান মন্ত্রী-বিরোধী দল থেকে যে সমস্ত বক্তা—তথাকথিত লীগ-নাম ধারী বন্ধুরা যে চেচামেচি কর্‌ছেন, তাদের আমি জিজ্ঞাসা কর্‌ছি—গত পাঁচটা বছর তারা যে কাজ করেছেন এবং যে ভাবে এই পরিষদের কার্য্যকলাপ চালিয়ে গিয়েছেন, সে কথা আজ তারা কি সম্পূর্ণ ভুলে গিয়েছেন? সেই সমস্ত কাজ তাদের স্মরণ করা উচিত এবং সেই কথাগুলি স্মরণ্ করে তাদের একটু লজ্জিত হওয়া উচিত। আমার দুঃখ হয় মৌলানা সাহেব এই দুই-তিন দিনের ভিতরকার একটা ঘটনা বিস্মৃত হয়েছেন। ফুরফুরা শরিফে সারা বাংলার আলেম সমাজ থেকে মস্ত বড় একটা জলসা করা হয়। সেই জলসা থেকে সারা বাংলার আলেম সমাজ তাদের মত ব্যক্ত করে এই রকম প্রকাশ করেছেন যে বর্ত্তমান গভর্ণমেণ্টকে তারা সমর্থন কর্‌ছেন এবং তথাকথিত সিরা সম্প্রদায়ভুক্ত মিঃ জিন্নার

(Mr. Jiñnaa) যে লীগ, সেই লীগ থেকে সমস্ত মুসলমানকে আহ্বান করেছেন নাম কেটে বেরিয়ে আসবার জন্য এবং সেই জলসা থেকে প্রস্তাব পাশ করা হয়েছে যে বাংলার (cheers—noise) সমস্ত মুসলমানদের দাবী দাওয়া ব্যক্ত করবার জন্য জমিয়েৎ-উলেমার ভিতর দিয়ে। এবং বর্ত্তমান বাংলা গভর্ণমেণ্টের প্রধান মন্ত্রী যে দলের নেতৃত্ব করছেন, সেই দলের নেতৃত্বাধীনে থেকে, সমস্ত বাংলাকে ধর্ম্ম, সম্প্রদায় নির্বিশেষে জাতি বর্ণ নির্বিশেষে, দেশের কল্যাণ করবার জন্য আহ্বান করেছেন। কাজেই আমি বলছি যে বাস্তবিকই যদি আলেম সম্প্রদায়ের কোন দায়িত্ব থেকে থাকে, আলেম সম্প্রদায়ের কোন কর্ত্তব্য থেকে থাকে, তাহলে এই দায়িত্ব ও কর্ত্তব্য আজকে ফুরফুরা শরিফের মজলিস থেকে প্রকাশিত হয়েছে এবং আমি বিশ্বাস করি এবং আশা করি যে বাংলার জনসাধারণ বিশেষ করে মুসলমান সম্প্রদায় সেই নির্দ্দেশ মেনে চলবে এবং বাংলায় যে সাম্প্রদায়িক বিষের আগুন জলে ছিল——

Maulvi AHMED HOSAIN: On a point of order, Sir. Are these remarks relevant to the cut motions?

Mr. DEPUTY SPEAKER: All that I can tell you is that you introduced a new subject into the debate and he is replying. I am absolutely helpless.

MAULVI ABDUL WAHED : সেই আগুন হিন্দু-মুসলমানের মিলনে চিরতরে নির্ব্বাপিত হবে। আপনারা জানতে পারেন আলেম শিরমণি মৌলানা রুহল আমিন তথাকথিত মুস্লিম লিগের ভাইস-প্রেসিডেণ্টের (Vice-President) কাজ থেকে পদত্যাগ করেছেন। (noise—interruption)। তাই এই সভায় এরা যে কেন চিৎকার, চেচামেচি করছে—তার একমাত্র কারণ যা আমরা দেখতে পাই, সে হচ্ছে যেন আজ সারা বাংলার মুসলমানদের যত স্বার্থ সব জড় হয়েছিল খাজা পরিবারে। আজ খাজাবা উপশ থাকার ব্যবস্থা হচ্ছে তাই এত চেচামেচি (noise)। আমি বলতে চাই প্রাচীন যুগে মিরজাফর কেবল সিরাজেদৌলাকেই সিংহাসনচ্যুত করে সিংহাসন অধিকার করে ছিল। কিন্তু বর্ত্তমান যুগের মিরজাফরেরা বাংলার প্রধান মন্ত্রীকে গদিচ্যুত করতে, সঙ্গে সঙ্গে বাংলার গৌরব ঢাকার নবাব বাহাদুরকেও পদচ্যুত করতে ব্যর্থকাম হয়ে আজকে নিজেরাই সেই গদি থেকে পদচ্যুত হয়েছেন এবং অপসারিত হয়ে আজ কান্নাকাটি আরম্ভ করেছেন।

The Hon'ble Khan Bahadur M. ABDUL KARIM: Sir, I have listened to the speeches of Maulana Md. Abdul Aziz and Maulvi Ahmed Ali Mridha with great interest and I can assure them that the interests of Maulvis have received and will always and ever receive my earnest and careful attention. For their satisfaction I may inform the House that as a matter of fact up till now we have recruited 6 Sub-Registrars with the qualifications for which the claim is now made and it is definitely within our programme to encourage such people,

much preference as is possible under the present circumstances. But at the same time the Government are not prepared at present to accede to the request that 50 per cent. of the Muslim appointments to be made in the ranks of Sub-Registrars should be earmarked for this class of Maulvis.

Then as regards the point raised by Mr. P. Banerji, this is the first time that I hear of the vagaries of the Registration Department. I wonder as to what the honourable member means by "vagaries of the Registration Department" or what he actually means by the word "vagaries". We know that there are vagaries by physical method. There are also vagaries in the political field and there are intellectual vagaries as well. But I cannot quite realise what Mr. Banerji actually means by vagaries as regards the allocation of the sub-registry offices——(Dr. NALINAKSHA SANYAL: One of the many.) Yes, it may be so: but, I believe, when the sub-registry offices referred to by Mr. Banerji were established, due consideration was taken of public convenience to allocate them in their respective places. I do not know for how long these sub-registry offices have existed. Of course, if the honourable member can sufficiently convince the Government about the removal of a particular sub-registry office or offices to a more convenient place than where they are at present situated, I can assure him that Government will gladly consider those cases. I would, therefore, ask the honourable member to bring to the notice of the Government specific instances supported by public representation that the present allocation of those sub-registry offices is not conducive to public interest. If such representations are received by Government, I can assure the honourable members that all possible steps will be taken to remove their legitimate grievances.

Then, Sir, Dr. Nalinaksha Sanyal has referred to the recruitment of Sub-Registrars. As a matter of fact, I may tell him, the present position and the rules as they appear to me, as far as I am concerned and as far as my knowledge as a new Minister about the working of the department goes, are not the last words and cannot be the last words on the subject. At the same time I do not think Dr. Sanyal is quite accurate in saying that the appointments of these Sub-Registrars are not done by any technical authority. The procedure is this: Under the existing rules the appointments of Sub-Registrars are made on the nominations of Divisional Commissioners—I mean, nominations made by Divisional Commissioners on the recommendation of the District Officers of the Division. Some appointments are also made on the nominations of the Inspector-General of Registration, and those nominations are mainly reserved for the sons, children and relations of——

Dr. NALINAKSHA SANYAL: Influential people?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Not necessarily. The Sub-Registrars or other departmental officers who have rendered 25 or 30 years of service, if they die before retirement, certainly they have some claim on the department, and therefore, the nominations of the Inspector-General of Registration are mainly reserved for their sons and relations. Therefore it must be seen that the principle on which the appointments are made are quite in consonance with reason, commonsense, humanity and justice. Therefore, I think, there is nothing to object to that.

Dr. NALINAKSHA SANYAL: There is a third category of direct nomination.

The Hon'ble Khan Bahadur M. ABDUL KARIM: As regards my nomination I may tell him that I am not free to act according to my vagaries of which so much has been said. I may also tell him that there are certain well-defined rules according to which I have to make my own nominations. The present procedure is this: We receive nominations from the Inspector-General of Registration and from the Divisional Commissioners. Then we make our own decision and that decision is submitted to His Excellency the Governor and His Excellency the Governor sends them on to the Public Service Commission according to Rule 35 of the Public Service Commission Rules, and then appointments are made after the approval of the Public Service Commission. Now, the Public Service Commission not being satisfied with the existing arrangements, have of late asked the Provincial Government not to send any applications to them at all. (Dr. NALINAKSHA SANYAL: Because they know that decisions are taken already.) No, not that.

There is another difficulty. There is a talk of competitive examination. Of course, if people want a thing like that, it is quite possible that by a process of evolution these appointments may be thrown open to competition at some distant date. So far as we are concerned, we are not prepared to consider that unless and until a more satisfactory arrangement is suggested by public bodies or public leaders.

Dr. NALINAKSHA SANYAL: You are not prepared to accept the principle of competitive examination?

The Hon'ble Khan Bahadur M. ABDUL KARIM: If suggestions to that effect come to us, we will certainly consider them, but at present we have no such idea under contemplation.

The motion of Maulana Md. Abdul Aziz that the demand of Rs. 19,57,300 for expenditure under the head "11—Registration" be reduced by Rs. 100 was, then put and a division taken with the following result:—

AYES—33.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jasimuddin Ahmed, Khan Sahib Maulvi.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir., K.C.I.E.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C. B. E.
Suhrawardy, Mr. H. S.
Yusuf, Ali Choudhury, Mr.

NOES—93.

Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr. (Khulna).
Abdul Hakim, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abdur Razzak, Maulvi.
Abu Hossain, Sarkar, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Azimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhowmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Surendra Nath.
Chakrabarty, Babu Narendra Narayan.
Chaudhuri, Rai Narendra Nath.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman Maulvi Md.
Hashem Ali Khan, The Hon'ble Khan Bahader Maulvi.
Hasina Murshed, Mrs. M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
McPherson, Mr. G. P.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Mohsin Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Muhammad Afzal, Khan Bahader Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Musharruf Hossain, Nawab, Khan Bahader.
Murtaguwzal Haque, Mr. Syed.
Nasker, Mr. Hem Chandra.
Nasmber Ali, Mr. Syed.
Peddar, Mr. Anandilal.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafder, Maulvi.
Razimuddin Ahmed, Mr.

Roy, Mr. Charu Chandra.
Roy, Kshirod Chandra, Rai Bahadur.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram
Sadaruddin Ahmed, Mr.
Sanaullah, Dr.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Thakur, Mr. Pramatha Ranjan.
Yousuf Mirza.
Zaman, Mr. A. M. A.

The Ayes being 33 and the Noes 93, the motion was lost.

The motion of Mr. P. Banerji that the demand of Rs. 19,57,300 for expenditure under the head "11—Registration" be reduced by Rs. 100 was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 19,57,300 for expenditure under the head "11—Registration" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Khan Bahadur M. Abdul Karim that a sum of Rs. 19,57,300 be granted for expenditure under the head "11—Registration" was then put and agreed to.

Adjournment.

The House was then adjourned at 11-40 a.m. till 8-30 a.m., on Thursday, the 12th March, 1942, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 12th March, 1942, at 8-30 a.m.

Present:

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 8 Hon'ble Ministers and 206 members.

STARRED QUESTIONS

(to which oral answers were given)

Pirojpur Jail Yard.

***140. Mr. UPENDRA NATH EDBAR:** (*a*) Is the Hon'ble Minister in charge of the Home (Jails) Department aware—

(*i*) that the yard of the Pirojpur sub-jail is very low;

(*ii*) that it is over-flooded at the time of flow-tide in the rainy season; and

(*iii*) that the jail yard, which is *kutcha*, causes inconvenience to the inmates of the jail, during the rainy season?

(*b*) If the answer to (*a*) is in the affirmative, what actions, if any, do the Government propose to take for the improvement of the said jail?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) Yes.

(*b*) Government have administratively approved a scheme for raising the level of the compound and of the floor of the buildings, increasing the accommodation of the sub-jail and enlarging the enclosure of the sub-jail at an estimated cost of Rs. 23,749 and funds for the work will be provided as soon as possible.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state how long this condition was going on?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot say that. The papers do not show that, but the matter has been under discussion for at least a year, if not more.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state whether the yard which will be raised will be a *pucca* or a *kutcha* yard?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is very difficult for me to say that. I have not got any previous intimation.

Recommendations for improvement of Security Prisoners' Rules.

***141. Mr. JNANENDRA CHANDRA MAJUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the Superintendent of the Hijli Special Jail, the District Magistrate of Midnapore and a non-official visitor of the Hijli Special Jail have made any recommendations for improvements of the Security Prisoners' Rules as reported in Government Press Note, dated the 27th July, 1941?

(*b*) If so, will the Hon'ble Minister be pleased to lay on the Table copies of their recommendations?

(*c*) Will the Hon'ble Minister be pleased to state what action, if any, he has taken or proposes to take on the said recommendations?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) I am not prepared to supply this information which is confidential.

(*c*) The recommendations of the Jail Superintendent have been accepted and correction slips to the revised Bengal Security Prisoners' Rules have been issued. The supply of better quality soap, as recommended by the District Magistrate, and tongue-scrapers, as recommended by Mr. Muhammad Mamtaj, is under consideration. The other recommendations made by these gentlemen have been found unacceptable.

SJ. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister please let us know what are the recommendations made by these gentlemen which have been found unacceptable?

The Hon'ble Mr. A. K. FAZLUL HUQ: Something about daily allowance, supply of fish, diet allowance, twill shirts and *punjabis*, and over and above that something which is not admissible under the rules.

SJ. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister please explain why these have been found unacceptable?

The Hon'ble Mr. A. K. FAZLUL HUQ: Departures from ordinary rules are permissible only under certain limits. These recommendations cannot be accepted unless the rules are changed. The rules are now under consideration.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister please tell the House whether there was any recommendation as to the supply of blankets to the security prisoners?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister please let the House know whether any action has been taken?

The Hon'ble Mr. A. K. FAZLUL HUQ: The matter is still under consideration. We are in communication with the authorities in the neighbouring provinces regarding the regulation and condition prevailing there.

Mr. CHARU CHANDRA ROY: Is the Hon'ble Minister aware that two winter seasons have passed but still the recommendations for blankets have not been given effect to?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not sure about two. One has passed.

Amendments to Security Prisoners' Rules.

***142. Mr. JNANENDRA CHANDRA MAJUMDAR:** (*a*) Is the Hon'ble Minister in charge of the Home (Jails) Department aware—

(*i*) that a Press Note was issued by the Government on July 17, 1941, announcing the summaries of the main amendments to the Security Prisoners' Rules;

(*ii*) that the said amendments were stated in the Press Note to have been made in consideration of the demands put forward by the security prisoners and several members of the Legislature on their behalf;

(*iii*) that the security prisoners of Hijli Special Jail intimated through several petitions to the Government that they considered the said amendments to be inadequate and unsatisfactory;

(*iv*) that they prayed for further amendments of the said Rules;

(*v*) that no reply to their petitions had as yet been received by them; and

(*vi*) that in the said Press Note the Government announced to instal a wireless receiving set at Hijli Special Jail?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether the Government contemplate further amendment of the Security Prisoners' Rules; if so, when; and

(*ii*) when the said radio set will be installed there?

(*c*) Is the Hon'ble Minister considering the desirability of instituting enquiry into the grievances of the security prisoners of the Hijli Special Jail?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*), (*ii*) and (*vi*) I refer the honourable member to the Government Press Note of the 26th July, 1941, a copy of which is laid on the Library Table.

(*iii*) to (*v*) Yes.

(*b*) (*i*) The matter is under my consideration.

(*ii*) All the security prisoners at Hijli have since been transferred to other jails and the matter will be taken up again as soon as they are finally accommodated in one special jail.

(*c*) I refer the honourable member to my answer to (*b*) (*i*) of the question.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister please tell this House whether Government has in contemplation to send these prisoners to Buxar Duars?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot say. If the honourable member has got that information, I am not prepared to contradict him. It may be so.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister please tell the House that if these prisoners are sent to Buxar there will be great hardship on the prisoners and their relations who want to interview them and send information?

Mr. DEPUTY SPEAKER: That is a hypothetical question.

Mr. CHARU CHANDRA ROY: Sir, Buxar is practically outside Bengal. It is near the Himalayas——

Mr. DEPUTY SPEAKER: You say if the prisoners are sent to Buxar.

Mr. CHARU CHANDRA ROY: Sir, the Hon'ble Minister just now practically admitted that Government has in contemplation to send these prisoners to Buxar.

The Hon'ble Mr. A. K. FAZLUL HUQ: I said that I cannot contradict him. It may be so.

Number of security prisoners under Defence of India Act and allowances.

*143. **Babu NAGENDRA NATH SEN:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) the number of security prisoners in Bengal as on 30th September, 1941;

(*b*) the number of prisoners convicted under the Defence of India Act, and the rules made thereunder up to 30th September, 1941;

(*c*) the number of security prisoners referred to in clause (*a*) that are in receipt of any allowance from Government;

(*d*) the number of applications for allowance that have been rejected;

(*e*) the number of them that are still under consideration; and

(*f*) the maximum amount paid for a single prisoner?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) 529.

(*b*) The total number of "persons" convicted under the Defence of India Act and the rules made thereunder was 1,341 to the end of September, 1941.

(*c*) An allowance has been made to dependants of 20 such prisoners.

(*d*) Applications in 92 cases.

(*e*) Applications in 28 cases.

(*f*) Rs.35 per mensem.

Dr. SURESH CHANDRA BANERJEE: With reference to answer (*d*), will the Hon'ble Minister be pleased to state whether the Government follows any definite policy as regards granting allowance to security prisoners and if so, what it is?

The Hon'ble Mr. A. K. FAZLUL HUQ: The policy that has been in force hitherto is still in force. Applications are received and they are enquired into. If it is found that the dependants have not got sufficient means of livelihood or subsistence, for instance, if they have not got any relation or any source of income allowance is given.

Dr. SURESH CHANDRA BANERJEE: Was that principle followed in these 92 cases?

The Hon'ble Mr. A. K. FAZLUL HUQ: It must have been followed. But I may say that I do not personally approve of those rules. I am examining them. If I can possibly improve them, I shall do so.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state what is the minimum allowance granted?

The Hon'ble Mr. A. K. FAZLUL HUQ: Rs. 10.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state whether, in view of the difference betwen the information received by the members of this House and the information received by the department, Government will be pleased to appoint a committee to enquire into the genuineness of the case?

The Hon'ble Mr. A. K. FAZLUL HUQ: Where is the difference?

Dr. ABDUL MOTALEB MALIK: In one place you have said, "My information is otherwise."

The Hon'ble Mr. A. K. FAZLUL HUQ: Where? I have not contradicted anything.

Mr. ATUL CHANDRA SEN: With reference to answer (*d*), will the Hon'ble Minister be pleased to tell the House whether the Government will consider the desirability of reviewing the applications for the reason that prices have considerably gone up these days and also in view of the fact that questions have been asked relating to the subject from time to time on the floor of the House?

The Hon'ble Mr. A. K. FAZLUL HUQ: The applications praying for revision are being recived, and I shall certainly consider them.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state who reviews these applications and whether they are ultimately seen personally by the Hon'ble Minister concerned?

The Hon'ble Mr. A. K. FAZLUL HUQ: The applications are received in office. As regards the other question, I hope the honourable member will not press it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the Hon'ble Minister in charge has been given charge of the Home Department on condition that he will not look into the files of security prisoners? It is so strongly rumoured.

Mr. DEPUTY SPEAKER: That question does not arise.

The Hon'ble Mr. A. K. FAZLUL HUQ: I never said anything to infer that—

Dr. NALINAKSHA SANYAL: You may, if you like, give the lie direct to that. The rumour is that the Home portfolio has been given to the Home Minister on the distinct understanding given to His Excellency that he will not look into the files of security prisoners.

The Hon'ble Mr. A. K. FAZLUL HUQ: The rumour is untrue, maliciously false, not founded on facts and invented by some mischievous brain.

Dr. NALINAKSHA SANYAL: Thank you.

Maulana MD. ABDUL AZIZ: মাননীয় মন্ত্রীমহোদয় কি অনুগ্রহ করে জানাবেন যে ১৪৩নং answerএর মধ্যে—১৩৪১ জন লোক convicted হয়েছে বলা হয়েছে। তার মধ্যে কতজন হিন্দু এবং কতজন মুসলমান?

The Hon'ble Mr. FAZLUL HUQ: নোটিস্ চাই, তাহলে বল্‌ব।

Financial help to security prisoner Sj. Prafulla Kumar Tripathi.

***144. Babu KHAGENDRA NATH DAS GUPTA:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that Sj. Prafulla Kumar Tripathi, a security prisoner, now detained in the Presidency Jail, Calcutta, has recently lost both his father and mother;

(*ii*) that being the only son of his parents he had to perform *Sradh* ceremonies in jail?

(*iii*) that he applied to the Government for monetary help for the performance of these ceremonies but the help was refused;

(*iv*) that he had to incur debt for the purpose; and

(*v*) that he has no source of income out of which he can bear these costs?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the reason for refusing the help for performing the *Sradh*; and

(*ii*) whether he contemplates reconsideration of this case?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) and (*iii*) Yes.

(*ii*) He was granted home leave to perform *Sradh* ceremonies on both the occasions, but he performed the *Sradh* ceremony of his father in jail.

(*iv*) It is understood that the priest who officiated at the ceremony in the jail incurred some expenditure on behalf of the prisoner.

(*v*) He has a house and some thirty bighas of landed property.

(*b*) (*i*) There were no exceptional circumstances in this case, and the request was refused in accordance with Bengal Security Prisoners' Rule 43 (2).

(*ii*) No.

Family allowance for security prisoner Sj. Pratul Gobinda Deb.

***145. Mr. JATINDRA NATH CHACKERVERTY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether Sj. Pratul Gobinda Deb arrested at Rangpur is being detained in the Hijli Special Jail, since 30th May, last?

(*b*) Is the Hon'ble Minister aware—

(*i*) that Pratul Gobinda Deb had a tailoring shop at Rangpur;

(*ii*) that the said shop has been closed owing to his detention;

(*iii*) that the income from the said shop was the means of maintenance of his family consisting of his old parents; and

(*iv*) that owing to the closing of the shop the family has been in a very destitute condition?

(*c*) If the answer to (*b*) is in the affirmative, is the Hon'ble Minister considering the desirability of granting a monthly allowance for the maintenance of his old parents?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*), (*b*) (*i*) and (*ii*) Yes. (*iii*), (*iv*) and (*c*) No.

Maulvi ABU HOSSAIN SARKER: Will the Hon'ble Minister be pleased to state who has supplied him the information on which he bases his answer "No"?

Mr. DEPUTY SPEAKER: That you cannot ask. He cannot state the source of information.

Maulvi ABU HOSSAIN SARKER: I want to know whether the information has been supplied by the Intelligence Branch or the District Magistrate.

Mr. DEPUTY SPEAKER: That he cannot answer.

Maulvi ABU HOSSAIN SARKER: Why not? My point is this: What is the source of his information. There is no secrecy about it. It may be one department or the other.

Mr. DEPUTY SPEAKER: He cannot possibly give the source of his information.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state what is the source of his information to show that after the closing of the shop the family is not in a very destitute condition? Is there any other source of income to the family?

The Hon'ble Mr. A. K. FAZLUL HUQ: The only information available to me with regard to the prisoner which I am prepared to place before the House is that the prisoner is unmarried and that the monthly income from the tailoring shop which has been closed down after his arrest was Rs. 20 only. His father has a home and property and he is not a destitute. That is the information I have got. If the honourable member thinks that the matter should be reviewed, I shall be willing to do so if an application is made.

Disbursement of the amount budgeted for Mahamohapadhyaya Haridas Sidhantabagish.

***146. Babu NAGENDRA NATH SEN:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state when was the amount of Rs.4,000 passed by this House in the Budget for 1939-40 paid to Mahamohapadhyaya Haridas Sidhantabagish?

(*b*) If the whole amount has not yet been paid, will the Hon'ble Minister be pleased to state the reasons therefor?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Khan Bahadur M. Abdul Karim): (*a*) Rs. 2,000 was paid in 1940.

(*b*) The balance is due to be paid on completion of the work and the work has not yet been completed.

Sj. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to let us know whether there was any stipulation that the amount would be paid only after the completion of the work?

The Hon'ble Khan Bahadur M. ABDUL KARIM: That was the understanding between the department and the Mahammohapadhyaya.

Maulvi Md. ISRAIL: Will the Hon'ble Minister be pleased to state if the work is not completed whether the balance would be paid at all?

The Hon'ble Khan Bahadur M. ABDUL KARIM: That is a matter for consideration.

Sj. NARENDRA NATH DAS GUPTA: In view of the fact that the Mahammohapadhyaya requires money for the completion of his work and also in view of the fact that the sum of Rs. 2,000, already given will not cover all his expenses, will the Hon'ble Minister consider the question of making payment of the balance sum of Rs. 2,000 as early as possible with a view to helping him in accelerating his work?

The Hon'ble Khan Bahadur M. ABDUL KARIM: Government is not in a position to say whether Government will be prepared to pay more than what is stipulated in the Budget.

Sj. NARENDRA NATH DAS GUPTA: That is not my question, Sir. The Hon'ble Minister has said that the balance sum of Rs. 2,000 will be paid after the completion of the work, but my question is whether, if the Mahammohapadhyaya requires the balance sum immediately, Government will be prepared to make payment earlier.

The Hon'ble Khan Bahadur M. ABDUL KARIM: Yes, Government will have no objection to paying the balance sum of Rs. 2,000 sooner than the stipulated time.

Maulvi Md. ISRAIL: Will the Hon'ble Minister be pleased to state whether there is any time-limit within which the Mahammohapadhyaya has been asked to complete this particular work and if he fails to complete his work by that time he will not get the promised grant?

The Hon'ble Khan Bahadur M. ABDUL KARIM: The Mahammohapadhyaya gave us to understand that he would take five years to complete the work of translation of the Mahabharata.

Evacuees from Burma and Far East.

***146A.** (SHORT NOTICE.) **Mr. DHIRENDRA NATH DUTTA:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that a large number of evacuees, who are residents of the Province of Bengal, from Burma, Malaya, Singapore, Hongkong, Penang and other enemy-occupied territories have come back to this Province?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the number of such evacuees?

(*c*) Is it a fact that a large number of people have become unemployed by such evacuation?

(*d*) If so, are the Government considering the desirability of holding an enquiry to determine—

(*i*) the number of such evacuees;

(*ii*) the districts to which they belong;

(*iii*) the places where they have settled;

(*iv*) their previous occupation; and

(*v*) the number of dependants of each person who have lost their occupation?

(*e*) Do the Government contemplate making any provision for such unemployed persons?

The Hon'ble Mr. SANTOSH KUMAR BASU (on behalf of the Hon'ble Mr. A. K. Fazlul Huq): (*a*) Yes.

(*b*) The number is not known.

(*c*) Government have no information but presume that it is so.

(*d*) and (*e*) I regret that it is not possible to undertake any such enquiry without interfering with the immediate task before the local officers, viz., to arrange for the reception and comfort of evacuees, of whom there is a continuous influx into this Province.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be be pleased to state how the enquiry sought for will interfere with the immediate task before the local officers as mentioned in the answer?

The Hon'ble Mr. SANTOSH KUMAR BASU: That will certainly be an additional burden upon them so far as their immediate work is concerned.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware of the fact that there are other non-official agencies to arrange for the reception and comfort of evacuees?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am fully aware of that, but that does not lighten the task of the officers because they have also to look after the reception and comfort of evacuees.

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware of the fact that besides the evacuees who have come and are coming to Calcutta, there are many evacuees who have gone to other districts where no arrangement for their reception and comfort is made by the Government?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am aware of the fact that evacuees have gone to other districts of Bengal, but I am not aware of the fact that there is no arrangement for their reception and comfort.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to make an enquiry into the fact that there is no arrangement for reception and comfort of evacuees in places other than Calcutta?

The Hon'ble Mr. SANTOSH KUMAR BASU: If my honourable friend will be pleased to supply me with the names of the places where such things have occurred, I shall be glad to enquire into the matter.

Mr. DHIRENDRA NATH DATTA: Sir, the answer as given to clauses (*d*) and (*e*) does not cover the question in clause (*e*), viz., "Do the Government contemplate making any provision for such unemployed persons?" Will the Hon'ble Minister be pleased to state, "Yes or No?"

The Hon'ble Mr. SANTOSH KUMAR BASU: No provision can be made for such unemployed persons without first ascertaining who they are.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to consider the desirability of making an enquiry sought for after that immediate task is completed?

The Hon'ble Mr. SANTOSH KUMAR BASU: I think that can be done.

Dr. SURESH CHANDRA BANERJEE: Does the Government keep a register of such evacuees so that subsequently whatever is necessary may be done?

The Hon'ble Mr. SANTOSH KUMAR BASU: Government is not at present engaged in keeping registers, but they are engaged in looking after the comforts of the evacuees.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state how can the Government expect repayment to be made by the evacuees if they do not keep any record about them?

The Hon'ble Mr. SANTOSH KUMAR BASU: The record, so far as is kept, is in the shape of railway warrants which are issued to these evacuees on a promise for repayment.

Dr. SURESH CHANDRA BANERJEE: Do not the Government think it necessary that a record containing the names of the evacuees, from where they come, to where they will go or intend to go -all these should be kept by the Government?

The Hon'ble Mr. SANTOSH KUMAR BASU: Probably it may be necessary from certain points of view but certainly it is not necessary from the point of view of finding out whether they are employed or unemployed.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to give us an assurance that such a record will be kept?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am not in a position to give any such assurance.

Sj. NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state what arrangements have been made for the reception of the evacuees?

The Hon'ble Mr. SANTOSH KUMAR BASU: This is too large a question for me to answer at the present moment.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state if the Government are doing anything necessary for the evacuees?

The Hon'ble Mr. SANTOSH KUMAR BASU: They are doing a great deal.

Mr. SIBNATH BANERJEE: Will the Hon'ble Minister be pleased to state how the evacuees are being given comfort, whether in the shape of money or in edibles, and if in money whether any record is kept of the money given?

The Hon'ble Mr. SANTOSH KUMAR BASU: The evacuees are being given relief in the shape of edibles, particularly by providing them with railway passages, and a record is kept of such provision.

Maulvi MD. ISRAIL: Will the Hon'ble Minister be pleased to state whether the Government will make any arrangement for appointing a Special Officer for looking after the comforts of the evacuees who are coming to Chittagong?

The Hon'ble Mr. SANTOSH KUMAR BASU: I think Government have already allotted a Special Officer for looking after the evacuees in Chittagong, and a Special Officer has been appointed to my knowledge in Calcutta.

Mr. J. W. CHIPPENDALE: Will the Hon'ble Minister be pleased to state whether most of the evacuees are people of provinces other than Bengal?

The Hon'ble Mr. SANTOSH KUMAR BASU: Yes, I think so.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state whether the evacuees from Chittagong are getting special steamers from Chandpur to Goalundo, when they want to come to Calcutta *via* Goalundo and whether there is therefore tremendous congestion in the trains, for want of special trains?

The Hon'ble Mr. SANTOSH KUMAR BASU: I do not think that is correct. So far as I know, there has been no congestion in the matter of passage of these evacuees.

Maulvi MD. ISRAIL: Will the Hon'ble Minister be pleased to state whether Government are making any arrangement, with regard to the evacuees coming from Burma on foot to Chittagong, for their going safely to their respective villages?

The Hon'ble Mr. SANTOSH KUMAR BASU: Yes, I think so.

Dr. NALINAKSHA SANYAL: With reference to the answer just now given that there is no congestion in the trains, will the Hon'ble Minister be pleased to state what is the source of his information, and

will he be pleased to state if he had ever been to the railway station to find out if people were hanging on the foot-boards of the trains coming to Calcutta from Goalundo?

The Hon'ble Mr. SANTOSH KUMAR BASU: Yes, at times congestion does take place on account of the paucity of information from the place from where they travel, but arrangement has recently been made so that information may be obtained by telephone from Goalundo in order that arrangements for easy passage may be made by providing them with railway accommodation.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that these evacuees were mostly coming from Chittagong on board the steamer or by train for several hours after they had left the Chittagong Port or Chandpur and that the railways get ample time to intimate the Government as to the number of evacuees actually coming in the steamer, and will the Hon'ble Minister be pleased to state how the position can be helped in the matter of getting early information at Goalundo?

The Hon'ble Mr. SANTOSH KUMAR BASU: If information is given by telegrams from Chittagong these telegrams reach considerably after the time of arrival of the evacuees themselves. Telegrams reach Calcutta in many cases much later than the evacuees themselves. For this reason it has been arranged that telephonic communication from Goalundo should be obtained and the Railway Companies, particularly the Bengal-Nagpur Railway, should be informed that accommodation should be provided.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what measures have been taken to ensure that the railways are making arrangements to enable passengers to be cleared from Goalundo to Calcutta with some amount of comfort?

The Hon'ble Mr. SANTOSH KUMAR BASU: My information is that there is no congestion at Goalundo, but if there is any, I trust the honourable member will exert his influence with the Bengal and Assam Railway Advisory Committee of which he is a prominent figure, to relieve that congestion. As for the Government, Government will certainly do its part.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government have taken any measures to ascertain whether there is scandalous congestion in the Chittagong Mail during the last few days?

The Hon'ble Mr. SANTOSH KUMAR BASU: Government do not know what congestion is scandalous and what is not.

Dr. NALINAKSHA SANYAL: Sir, I want a direct reply. I wanted a reply as to whether Government have taken any measures to ascertain whether trains coming down from Goalundo, particularly the Chittagong Mail, are getting scandalously congested during the last few days?

Mr. DEPUTY SPEAKER: Railway matters are matters of Central Government.

Dr. NALINAKSHA SANYAL: Sir, we do not want the Secretary to mislead you.

Mr. DEPUTY SPEAKER: Dr. Sanyal, you cannot say that the Secretary is misleading me. It is not fair to say that.

Dr. NALINAKSHA SANYAL: Sir, I found him doing so. It is not a question of opinion. Secretary should better keep quiet when you are there.

Mr. DEPUTY SPEAKER: What is your question?

Dr. NALINAKSHA SANYAL: My question is whether the Government of Bengal have taken any measures to ascertain if trains coming down from Goalundo taking evacuees, particularly the Chittagong Mail, are being scandalously congested during the last few days.

Mr. DEPUTY SPEAKER: Before you get the answer, will you kindly tell me how could you anticipate that Secretary misled me or that Secretary gave me that information? I would request you to withdraw that remark. You cannot pass that sort of remark that Secretary misled me. I am doing my work and you know that I am trying to accommodate you with regard to this particular question. I have given you all possible facilities, and I do not think it is fair to pass such a remark.

Dr. NALINAKSHA SANYAL: Sir, I would be only too glad to withdraw my remark if you kindly let me know what the Secretary spoke to you immediately before.

Mr. DEPUTY SPEAKER: It was absolutely between myself and Secretary. You have no right to ask for it.

Dr. NALINAKSHA SANYAL: Sir, that is a thing which everybody saw in this House.

Mr. DEPUTY SPEAKER: Dr. Sanyal, I would request you to withdraw that remark.

Dr. NALINAKSHA SANYAL: Sir, I would again submit to you that there is no question of withdrawal on a matter of fact. If the Secretary has said something else and if I am told that it was a different matter, I would most gladly withdraw my remark. But if the Secretary has said that it is a railway matter, then I must say that——

Mr. SURENDRA NATH BISWAS: On a point of order, Sir. Is Dr. Sanyal in order when he asks the Hon'ble Deputy Speaker to disclose what the Secretary has spoken to him?

Mr. DEPUTY SPEAKER: No, he cannot ask that question.

Mr. SURENDRA NATH BISWAS: Then he must withdraw that remark.

Dr. NALINAKSHA SANYAL: Sir, I have asked whether the Government of Bengal have taken any steps——

Mr. DEPUTY SPEAKER: That question will come later on. What I am saying is that it is not fair on your part to pass such a remark, and I hope you will withdraw it.

Dr. NALINAKSHA SANYAL: I will most gladly withdraw if you assure me that he did not say that.

Mr. DEPUTY SPEAKER: That was absolutely a different matter.

Dr. NALINAKSHA SANYAL: If you say that it is not that advice which he gave——

Mr. DEPUTY SPEAKER: I am not advised by Secretary in any matter. You have no right to anticipate that. I go in my own way.

Dr. NALINAKSHA SANYAL: Then I would gladly withdraw it.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister please tell us if any Government officer has been posted in Chandpur and Goalundo to look after the comforts of the evacuees?

The Hon'ble Mr. SANTOSH KUMAR BASU: I think arrangements have been made to post local officers to look after the evacuees. I cannot give you details now.

Mr. YUSUF ALI CHOUDHURY: Is the Hon'ble Minister aware that there is no medical and sanitary arrangements given by Government at Goalundo Ghat and that two persons have died recently?

The Hon'ble Mr. SANTOSH KUMAR BASU: I do not know whether medical assistance has been provided for by Government, but one expects that the District Board will play its part in this matter.

Mr. YUSUF ALI CHOUDHURY: The District Board has deputed two doctors at Goalundo Ghat and other sanitary arrangements have been made, but from the Government side no arrangements have been made, and for that reason two persons have died.

The Hon'ble Mr. SANTOSH KUMAR BASU: I am not sure that these two persons died because Government have not made any provision although the District Board has.

Mr. DHIRENDRA NATH DATTA: Sir, in view of the fact that many of the answers are based on surmises, will Government contemplate the desirability of making a definite statement in the near future as to the steps Government have taken in the districts as well as in the city of Calcutta with regard to the reception and comfort of the evacuees?

The Hon'ble Mr. SANTOSH KUMAR BASU: If an opportunity offers itself to me, I will take that opportunity.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় মন্ত্রী-মহাশয় অনুগ্রহ করে কি বলবেন যে, যে সমস্ত লোক ঐ সকল জায়গা থেকে অর্থাৎ বর্ম্মা, পেনাং, সিঙ্গাপুর থেকে ফিরে এসেছে—তাদের মুখ থেকে সর্ব্বদা শুনছি—যে য়ুরোপীয়ান ও ভারতীয়ের মধ্যে—রেলে ও ষ্টীমারে যথেষ্ট পার্থক্য করা হয়—; এ সম্বন্ধে মাননীয় মন্ত্রীমহাশয় খবর রাখেন কি?

The Hon'ble Mr. SANTOSH KUMAR BASU: I am afraid no such information has reached me, but I shall try to find out what is the position.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Political prisoner Samar Roy.

68. Mr. NIHARENDU DUTT MAJUMDAR: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether political prisoner Samar Roy, who is at present lodged in Jessore Jail, is suffering from any serious ailments?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what is the nature of complaints he is suffering from;

(*ii*) what arrangements, if any, have been made for his proper treatment;

(*iii*) whether he has been placed in Division I, II, or III;

(*iv*) his weight on first admission to Jail with date; and

(*v*) his latest recorded weight with date?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) (*i*) The prisoner, who is at present in the Hooghly Jail, has no serious symptoms but occasionally complains of vague pain in the abdomen which is relieved as soon as he is put on milk diet.

(*ii*) He has been thoroughly examined at the Medical College Hospitals and the course of treatment indicated by them is being followed.

(*iii*) Division III in Jail.

(*iv*) 128 lbs. on 18th July, 1940.

(*v*) 130 lbs. on 16th February, 1942.

Mr. NISHITHA NATH KUNDU: With reference to his answers (*a*) and (*b*) (*i*) and (*ii*), will it be possible for the Hon'ble Minister to tell us since when he is complaining of vague pain in the abdomen and when he was last examined in the Medical College Hospitals?

The Hon'ble Mr. A. K. FAZLUL HUQ: He was first admitted on the 18th July, 1940, and he must have been examined immediately after, but I cannot give the exact date.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to say whether there was an X-ray examination made in this case?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot say that.

Maintenance allowance for families of two security prisoners.

69. Mr. PRATUL CHANDRA CANGULY: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether the security prisoners (1) Sreejut Charu Chandra Roy, and (2) Sreejut Tarani Bhusan Shome of Dacca now lodged in the Hijli Special Jail have been granted any allowance for the maintenance of their families; and

(*ii*) whether an enquiry was made about the condition of their families?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state the result of the enquiry?

(*c*) Is the Hon'ble Minister aware—

(*i*) that Sreejut Charu Chandra Roy was the only earning member of his family consisting of his mother, two younger brothers and a sister of marriageable age;

(*ii*) that Sreejut Charu Chandra Roy's family is, since the death of his father, in a starving condition; and

(*iii*) that Sreejut Charu Chandra Roy was an advertising agent of newspapers and was earning from Rs.50 to Rs.60 per mensem?

(*d*) Is the Hon'ble Minister aware—

(*i*) that Sreejut Tarani Bhusan Shome was the only earning male member of his family consisting of his mother, aunt, sister and sister-in-law, all widows;

(*ii*) that they are now in a starving condition; and

(*iii*) that Sreejut Tarani Bhusan Shome while on detention was granted allowance on previous occasions?

(*e*) Is the Hon'ble Minister considering the desirability of granting any allowance for their families?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) (1) No.

(2) Yes.

(*ii*) Yes.

(*b*) The enquiry did not reveal facts justifying the conclusion that an allowance is essential in the case of Babu Charu Chandra Roy.

(*c*) (*i*) and (*ii*) My information is otherwise.

(*iii*) I have no precise information.

(*d*) (*i*) Information now available is to the effect that this is so.

(*ii*) They are reported to be in distress and supported by relatives.

(*iii*) Yes.

(*e*) (1) Not in the case of Sreejut Charu Chandra Roy.

(2) Does not arise in the case of Sreejut Tarini Bhusan Shome.

Mr. CHARU CHANDRA ROY: With reference to his answer (*a*) (*i*) (*2*), will the Hon'ble Minister be pleased to state how much has been granted to the family of Tarani Bhusan Shome as family allowance?

The Hon'ble Mr. A. K. FAZLUL HUQ: I will give you the full information that I have got He had been employed in Bharat Insurance Company then but not after 1938. He claimed when interviewed by the District Magistrate, Mr. George, to be at the time of the arrest the organiser of another insurance company which had admittedly paid him nothing and to have been but not now the proprietor of a printing work. He now claims to have made money by the sale of cotton mill shares—this was not mentioned in his previous petitions nor to the District Magistrate on interview. He had a few cows in what he called a dairy at his rented Dacca house. He was, in fact, dependent on his brother Lalit and was reported to have no income of his own in September, 1940. The possibility has been suggested that Lalit has since then died and further enquiries are being made.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister be pleased to state how much allowance has been given to his family?

The Hon'ble Mr. A. K. FAZLUL HUQ: Rs. 20 per mensem.

Maulvi MD. ISRAIL: With reference to answer (*b*), will the Hon'ble Minister be pleased to state the nature of enquiry that was made in this case and the reason which led Government to think that it is not essential to pay any allowance to Babu Charu Chandra Roy?

The Hon'ble Mr. A. K. FAZLUL HUQ: The enquiry was made by the Collector through proper agencies.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state in relation to question (*c*) and the answer thereto what he really means. The Hon'ble Minister has said: "My information is otherwise." Here I want to know that when an information received by members of this House and the information received by the department are different whether Government think it necessary to hold a joint committee of enquiry and enquire into the matter.

The Hon'ble Mr. A. K. FAZLUL HUQ: The language that I have used is: "My information is otherwise." That means that the allegation made in the question is not true.

Mr. ATUL CHANDRA SEN: With reference to answer (*c*) (*i*) and (*ii*) where it is stated: "My information is otherwise", will the Hon'ble Minister be pleased to tell the House what precisely his information is?

The Hon'ble Mr. A. K. FAZLUL HUQ: The information is, as I have said, a denial of the allegation made. If the honourable member has reason to believe that it was otherwise, I shall be obliged if he will kindly address me. Then I shall make an enquiry.

Mr. CHARU CHANDRA ROY: Will the Hon'ble Minister please tell the House when the enquiry was made? Is it before the death of Charu Babu's father or after that?

The Hon'ble Mr. A. K. FAZLUL HUQ: I must have notice.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state whether the information of the department differs from the information received by honourable members and, if so, whether a joint enquiry can be held?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am afraid my honourable friend has not followed what I have said. As regards the facts an enquiry was made and they were found correct. Therefore I have said: "My information is otherwise." I have no personal information.

Point of Order.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. Section 51 of the Government of India Act, 1935, lays down the definite conditions under which the Ministers will be paid their salaries and the circumstances under which these salaries can be changed. Section 51 (3) lays down that the salaries of Ministers shall be such as the Provincial Legislature may from time to time by Act of the Legislature determine and until the Provincial Legislature so determine shall be determined by the Governor: provided that the salary of a Minister shall not be varied during his term of office. Accordingly I gave notice of a cut motion of Rs. 100 to raise a discussion about the failure of Government to take necessary steps to reduce the salaries of Ministers. It is not a cut motion on the salary itself. A cut motion on the salary

itself might be considered to be out of order, because it is a charged revenue, but it is a motion to question the manner in which the Government have failed to take recourse to section 51 (3) where it is provided that from time to time the Legislature will determine the Ministers' salaries and where also it is stated that this salary of a Minister shall not be varied during his term of office. I submit when the new Ministry has been formed, the term of office of the old Ministers having terminated the question of fixing the salary has been reopened and it is the duty of the present Ministry to come forward with proposals for salaries of the new Ministers. If they do not do it, the House will not have an opportunity to fix the salary.

Now, Sir, the provision of law is that so long as the Provincial Legislature does not determine, it shall be determined by the Governor. I submit it is in order to raise a discussion on that issue that I have proposed my cut motion, and I do not find in the order paper my cut motion included. I submit that it is not fair either on the part of the office or on the part of the Speaker, even if he is very exalted in his position—I do not want to question his ruling—it is not fair nor is it competent for him to go against the Government of India Act itself and seek to provide protection to the Ministers against such a motion of mine.

Mr. DEPUTY SPEAKER: All that I may tell you is that your motion has been disallowed by the Hon'ble Speaker. I will consider the matter in the line as to whether I am competent to interfere with the decision of the Hon'ble Speaker. I will consider this later on. Meantime I shall proceed with the ordinary business of the House.

Dr. NALINAKSHA SANYAL: As I have already submitted, the Speaker has no authority to go against the Government of India Act.

Mr. DEPUTY SPEAKER: I will have to consider whether I am competent to interfere with the decision of the Speaker.

Dr. NALINAKSHA SANYAL: This is a matter which I have been pressing upon you for the last two days. You have all the rights of the Speaker. You are in the Chair. If you do not give your decision, it is impossible to carry on the work of this House.

Mr. DEPUTY SPEAKER: In this particular matter I will go through the relevant section you have referred to.

Dr. NALINAKSHA SANYAL: I submit that in the meantime the discussion on the General Administration should be postponed.

Mr. DEPUTY SPEAKER: I will first of all consider whether I am competent to give any decision. Let us now proceed with the work.

Dr. NALINAKSHA SANYAL: That is why I have been pressing upon you for the last two days. How can we allow you to proceed unless you give your decision on this point? This is absurd. We do not propose to be guided by anybody outside the House. We want to have the Ministers' salaries definitely decided.

Mr. DEPUTY SPEAKER: I shall deal with it later on.

Notice of Cut Motion.

Mr. NISHITHA NATH KUNDU: On a point of information and also on a point of privilege, Sir. I sent two notices for two cut motions. Your office must have received them before the 10th March. I have now received a letter from your office which is as follows: "With reference to your notices regarding Budget cut motions, I am desired to inform you that they have been rejected by the Hon'ble Speaker as they were received too late." Sir, the only rule which controls notices of motions is rule 36, clause (2) requiring ten days' notice. If my notices were received in the office before the 10th March, certainly there was clear ten days' time because the cut motions in regard to the policy about Jails and Convict Settlements will be taken up on the 21st March and that in regard to police on the 23rd March next.

Mr. DEPUTY SPEAKER: I will enquire into the matter. I shall let you know later on.

DEMAND FOR GRANT.

25—General Administration—General Administration.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,27,42,000 be granted for expenditure under the head "25—General Administration—General Administration."

(Mr. M. Farhad Raza Choudhury rose to speak.)

Dr. NALINAKSHA SANYAL: May I have your ruling, Sir, before the cut motions are taken up?

Mr. DEPUTY SPEAKER: I shall give it later on.

Dr. NALINAKSHA SANYAL: Shall I get it in the course of the day?

Mr. DEPUTY SPEAKER: Yes, I think so.

Dr. NALINAKSHA SANYAL: Thank you, Sir.

Mr. NIKUNJA BEHARI MAITI: May I know, Sir, why item No. 2 has been passed over?

Mr. DEPUTY SPEAKER: I have made a slight change in consultation with the leaders of different parties. Item No. 2 will be taken up later.

Mr. M. FARHAD RAZA CHOUDHURY: Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 1,27,42,000 under the head "General Administration" be reduced by Rs. 100 My purpose in moving this token cut motion is to draw the attention of Government and members of this House to the illegal and arbitrary activities of the District Magistrates of Noakhali and Tippera and the manner in which the provisions of the Defence of India Rules have been grossly misused.

Sir, District Magistrates are very responsible officers of Government and have been vested with extraordinary powers under the Defence of India Act to counteract and prevent subversive activities directed against the war efforts of Government But I am confident that little did the framers of the Act dream that the wide scope of the law would be used as a weapon of oppression against legitimate activities of political organisations.

Theoretically speaking, District Magistrates are the permanent executives of Government who are supposed to possess no political bias or prejudice.

But it is a moot point how far this is possible or practicable in actual life.

Then again there is another important psychological factor which often plays a great part in inducing responsible officers of Government to go out of their way to try and win favour of their political masters. I refer to the element of human ambition: this weakness of man has been responsible for many grave misdeeds. And greater men than mere District Magistrates have succumbed to this. It is no wonder, therefore, that these two District Officers, who belong to the inferior service and are now holding officiating appointments of listed posts should try to curry favour of their new political masters by harassing

the members of an organisation politically hostile to the one person who has in his power to make or mar their future. And the knowledge that that person is quite capable of being influenced by such extra-ordinary zeal on their part has been an incentive in leading such responsible officers astray.

Now, Sir, I shall give instances of the flagrant abuse of the Defence of India Act by these two ambitious officers. I shall, first of all, take the District Magistrate of Noakhali. He it was that was responsible for a public notification calling upon the general public, under threat of prosecution, to give a reception to the Hon'ble Ministers. Can anyone imagine a baser abuse of the powers of a District Officer? Has anyone ever heard of such a fantastic order of compulsion? I ask you, Sir, if such a conduct of a responsible officer of Government can be tolerated by any sober Government?

Then again this District Officer prior to the arrival of the Hon'ble Ministers rounded up influential persons who had given magnificent reception to the Muslim League Delegation and passed orders of internment and externment. Four Muslim League members, one a passed student, two merchants and another a candidate for the B.A. Examination were interned for five months. Another boy was given the savage punishment of being interned for one year for no reason whatsoever other than participation in slogans against Mr. Fazlul Huq.

Then the Secretary of the District Muslim League and his clerk were each interned for three months. Notices were also served under the Defence of India Rules on a Press for having published a document in which the treacherous act of Mr. Fazlul Huq was fully explained.

Maulvi ABU HOSSAIN SARKER: On a point of order, Sir. Is the word "treacherous" which the honourable member has used in describing the conduct or the alleged conduct of the Hon'ble Chief Minister parliamentary?

Mr. DEPUTY SPEAKER: I could not catch what he exactly said. I shall send for the official record and see what was the exact word he used.

Mr. M. FARHAD RAZA CHOUDHURY: On the day of the arrival of the Hon'ble Ministers at Noakhali complete *hartal* was observed by the public. But the overzealous Magistrate served notices on the shopkeepers to show cause why they should not be prosecuted.

Khan Bahadur Abdul Gofran, Public Prosecutor and President, District Muslim League, was served with a notice to show cause why

he should not be removed from his office of Public Prosecutorship for his non-attendance at the public reception to the Hon'ble Chief Minister.

M. Abdul Majid Chowdhury, local Government Pleader, has been removed from his office for not attending the meeting held to welcome the Hon'ble Ministers. And in his place two pleaders have already been appointed.

The Noakhali Islamia Printing Press was searched and the Manager of the Press has been prosecuted under the Defence of India Rules for printing notices of a League Meeting.

I could go on multiplying instances of such gross abuse of powers by the District Magistrate of Noakhali.

Sir, as to the District Magistrate of Tippera, it was this worthy officer of Government who before the Hon'ble Minister's visit to Hajigunge home-interned four Muslim students for just a day—and that day happened to be the day of the arrival of the Ministers—and another good Leaguer was interned for 15 days. And all these acts of repression were perpetrated under the Defence of India Rules with the sole avowed object of preventing any anti-Fazlul Huq demonstration.

Then again as Magistrate President of Government Aided Schools and Madrassahs he issued a "firman" to all those institutions directing attendance of students under threat of stopping Government aid at the reception of the Ministers.

During the visit of the Muslim League Delegation he, without any just cause, withheld permission that is necessary under the Defence of India Act for the holding of meetings.

Sir, I have quoted instances of order of externment and internment on Muslim League workers In several cases the orders were withdrawn before the expiry of the full term. We cannot account for such sudden change of mind. If the District Officer was wrong in passing such orders which was subsequently withdrawn then the mischief was already done and harassment caused to lots of innocent persons. If so, was he not guilty of such hasty and illegal acts? Are these not sufficient evidences of the abuse of powers on the part of the two District Magistrates who aspire to be confirmed in their officiating posts, who look to the Hon'ble Chief Minister in charge of the Home portfolio for betterment of their prospects? If Mr. Fazlul Huq's conscience is clear, if he has not connived at such repressive measures being adopted, then let him vindicate his position by accepting my suggestion of a Committee being immediately constituted for starting an enquiry into the conduct of these District Officers. If the District Officers were within their rights, then let the Committee come to that finding and

if they are found guilty as alleged, let proper punishment be meted out which should serve as a lesson and a warning to all officers who aspire for higher posts by questionable means.

Mr. H. S. SUHRAWARDY: Mr. Deputy Speaker, Sir, knowing the character of the present Assembly and the composition of the various parties and the interest of the honourable members, who are for the time being basking in the sunshine of official favours, in supporting the present Ministry even in all its iniquities, knowing also that though there are certain sections of this Assembly who declare that they hold independent views and only give responsive co-operation to the Ministers, they have at the same time closed their eyes and their ears to the change in the character of the administration, knowing also, Sir, that there is little chance of getting a just verdict from the House, but depending upon the verdict of public opinion, and hoping that the conscience of some of the honourable members on the other side may be moved to try and reform the character of their own Ministers, I am taking part in this discussion today.

Sir, the motion has brought into prominence certain vital principles. In the first place there has been a change in the character of the administration, namely, from a just, a fair and an impartial administration conducted to the best of the ability of the then Ministers, the spirit of the administration has changed to one of revengefulness and vindictiveness against its political opponents. In the second place are permanent officials of Government, servants of the Ministers, or are they servants of the Crown? When permanent officials begin to imagine that their duty lies in serving the whims of the Ministers, and in using their power to curb political opinion against the Ministers, a clear case for an enquiry is made out. In the third place, Sir, should constitutional agitation cease even though the constitution is functioning through the agency of Ministers and have not political parties the right to demonstrate in any manner they think fit and proper and to give expression to their feelings; provided they remain within the bounds of the constitution, and conduct themselves in the lawful manner?

Now, Sir, I shall prove to the honourable members of this House that the administration has changed its character most definitely, as is reflected in the conduct of the District Magistrate of the two districts of Noakhali and Tippera. I shall prove to you that these officers are utilising their powers to curb political opinion and have relegated themselves to the position not merely of henchmen but of slaves and servants of the Ministers. There has been a deliberate attempt, Sir, to suppress the legitimate expression of public opinion. So far, Sir, Mr. Farhad

Raza Choudhury has given many instances which prove this point to the hilt. I shall refer to them concisely, but before I do so I would like to refer to the answers to two questions given by the Hon'ble the Home Minister yesterday and a few days back In answer to question No. 121 regarding the procession at Comilla, the Chief Minister stated that he did not know why no application had been made for permission to take out a procession, and the real reason why no action was taken against the processionists in respect of the procession having been taken out without previous permission, although so ordered under the Defence of India Rules, was that nothing prejudicial was done. This procession was taken out on the 26th January, 1942, on a day known as the Independence Day, and those honourable members who must have been present in their constituencies about that time must know that when these processions were taken out they were taken out without previous permission. They were attended by a very large number of young men and the slogans which they uttered were not only anti-Imperialist or anti-Government but were definitely subversive According to the Home Minister these are not prejudicial acts: according to the Home Minister no action is required to be taken if a procession is taken out without permission, and if nothing prejudicial occurs But in the case of Muslim League processions they are banned from the very beginning: and if anybody has the temerity to accompany a procession, or even to attempt to put one step forward, he is immediately arrested and prosecuted.

Now, Sir, I call the attention of the House to this aspect of the case because I propose to test the answer of the Chief Minister that processions may in due course be brought out without permission if they do not commit any prejudicial act by seeing if Muslim League processions as well can be taken out without any action being taken against them. Now, Sir, what are prejudicial acts according to the Home Minister? His connotation is brought out in his answer to question No 128 asked by Mr Syed Abdul Majid regarding notices served on certain persons at Sonaimuri The notices were served on nine persons at Sonaimuri to show cause why they should not be prosecuted for actively participating in hostile demonstrations against the Chief Minister and certain other Ministers on the occasion of their visit to this place. I ask the House to note the dates. The notice is dated 16th January: the notice was served on the 17th January, but the Ministers were not expected to pass by that place before the 20th and they were not expected even to visit Sonaimuri. But merely because the people of Sonaimuri were good Muslim Leaguers, the notice was served on the 17th January, before the Ministers were anywhere near, for actively participating in hostile demonstration against the Ministers. I ask any person who knows the English language to judge

the meaning of this expression and conclude from this that the District Magistrate of Noakhali has absolutely lost his mental balance. I ask again, what is a prejudicial act? The answer of the Chief Minister in respect of this notice was that the notice was served for showing cause against prosecution for activities of a prejudicial nature and likely or intended to cause a breach of the peace, a disturbance of the public tranquillity, etc. The question of a breach of the breach on the 17th of January does not arise, nor does the notice indicate that it is served for activities of a prejudicial nature. The notice says that it is being served for active participation in hostile demonstrations against the Ministers.

Consequently, Sir, it follows that the Chief Minister has interpreted participation in hostile demonstration against Ministers as activities of a prejudicial nature under the Defence of India Rules. Now, Sir, it is a matter of very great importance to decide—have the public a right to demonstrate against the Ministers or not? Have they a right to show black flags against them when they arrive at a certain place? Have they a right to voice their protest by observing *hartals* or in any other manner? So far as black flag demonstrations are concerned, it really does not matter a tuppence if these demonstrations take place against any of the League members or ex-Ministers. We have no police with us, we have no District Magistrate or Subdivisional Officer to support us or any authority. For us black flags have no significance, but perhaps the District Magistrates knowing full well that the black flag to the Chief Minister is like a red rag to a bull have classified showing a black flag to the Ministers amongst the prejudicial acts. I ask those gentlemen who have a grain of honesty still left in them to judge whether these demonstrations against the Ministers at the present moment are justifiable or not and to judge the conduct of District Magistrates from this point of view.

Now, Sir, what does the District Magistrate of Noakhali do before the Hon'ble Ministers arrive within the precincts of Noakhali? In Feni a notice was widely published by the District Magistrate to the effect that everyone in that place shall welcome the Ministers and if they did not welcome the Ministers or act according to the notice then proceedings will be taken against them under the Defence of India Rules. Does it not show absolute dementia on the part of the person who issued the notice? It is not a question merely of abusing one's powers. It shows that he has lost his mental balance and it is essential that before he is permitted to carry his insanity further in that district another person should be appointed in his place. Now, before the Ministers arrived notices were served for detention on five persons who had the temerity to organise the demonstration in favour of the League deputation. Who were those persons? They were—one who had just passed the B.A. examination, 2 merchants and 2 students, sons of a

retired Government official. Four of them have been interned for three months and one of them has been given the savage sentence of being interned for one year. When I spoke to the District Magistrate he said "Did I pass that order? Really, did I pass such a monstrous order?" But even after I brought this to the notice of the District Magistrate and of the Government, no steps whatsoever have been taken.

(At this stage blue light was lit.)

May I have a much longer time?

Mr. DEPUTY SPEAKER: I decided to give you the longest time —15 minutes. Do you want two or three minutes more?

Mr. H. S. SUHRAWARDY: I want about 10 minutes more.

Mr. DEPUTY SPEAKER: I will give you 20 minutes in all.

Mr. H. S. SUHRAWARDY: Thank you, Sir.

Thereafter, Sir, there was a certain demonstration at Feni which ultimately led to the expulsion of certain students. On the day the Hon'ble Chief Minister arrived police were posted outside the windows of the hostel with the muzzles of their guns pointed at the windows, lest the windows might be opened and a demonstration take place.

While the Chief Minister was at Feni, orders were passed expelling seven students. It might be said that this was a matter for the college authorities, and not the district authorities. I only wish that that was so. Here I wish to repudiate the statement of the Hon'ble the Finance Minister, who interferes in these internal matters amongst ourselves without knowing anything about them, that we fomented the strike and wanted the students to continue the strike. I can tell the Hon'ble Finance Minister or any other Minister who holds that view that we did nothing of the kind and if that is the information he has received from the district authorities, the sooner he gets rid of such district authorities, the better. We certainly sympathised with them and did all that we could to assist them in their troubles. The other day we received information that everything had been satisfactorily settled, and we expected that things would continue peacefully. There was an undertaking given by the Subdivisional League of the place, by the students as well as by the Principal that no comments would be made regarding the settlement of the strike in the papers. We carried out our part of the agreement. Immediately thereafter, however, this insane District Magistrate brings out a statement referring to the settlement of the strike in which he attacked the Muslim League leaders in terms which would not be used by any responsible

person. Now, Sir, he has started the row all over again, and the latest information that I have received is that the Principal has been forced to go back on all the terms of the settlement and has served a notice upon the boys whose stipends and scholarships he promised to restore. I can only hope this information is not correct.

Thereafter the Ministers go to Noakhali. Before their arrival at Noakhali the Secretary of the District League is interned for 3 months and his clerk, a man by the name of Siddiqulla—just imagine, his clerk—is interned for 3 months, in the obvious hope that thereafter there would be a great demonstration in favour of the Ministers. The results of these acts of internments, of these acts of repression were obviously just the opposite and when the Ministers arrived there was a *hartal* in Noakhali. I may inform the House that the Secretary was released after internment of a month and a half, because there was nothing against him and the order was so patently outrageous. For after all the Muslim League is not a subversive organisation and the Defence of India Rules cannot be legitimately applied to its activities. Now he is being prosecuted under the Defence of India Rules for having produced a leaflet known as "Samajdrohi Senapati", a document which is mild compared to the much more adverse comments against the personnel of the Ministry made in the papers. This is not considered enough. Notice has been served on the Islamia Press. Here, Sir, let me report to the House the answer that was given by the Hon'ble Minister yesterday with regard to this notice. When he was asked on what grounds notice was served on Islamia Press he said that the fact was that the proprietor was dead and no efforts had been made to substitute another person. Now, I will read out to this House the notice which was actually served on the Islamia Press and it will show that the Hon'ble Chief Minister is being deliberately misled by the local officers. The notice which was served was not because the name of the new proprietor was not declared but because the leaflet "was printed by your Press without placing the manuscript before the District Press Adviser for his scrutiny as required of you by my predecessor in office in a meeting held to explain to press owners and printers things for guidance of the press during war". The Islamia Press was prosecuted under the Defence of India Rules. The Chief Minister said yesterday that the real reason why the prosecution was started was that no substitution was made after the death of the previous proprietor. Then notices have been served on sixteen hotels for observing *hartal*. Have we not got the right to observe *hartal*? Has not that been done everywhere without it being considered a prejudicial act? In Calcutta thousands of *hartals* have been held. The ground given is that the *hartal* inconvenienced a large number of persons who could not get their food, and that it was against the notice that had been previously circulated by the District Magistrate.

I ask honourable members to recall to mind those notices in which it was stated: "You shall welcome the Hon'ble Ministers; otherwise action will be taken under the Defence of India Rules". This is the notice. It runs as follows: "Whereas it has been reported to me that you closed your hotel on the 19th instant in order to observe *hartal* on the occasion of the visit of the Hon'ble Chief Minister and other Ministers to Noakhali, in spite of my orders prohibiting such action" —has anybody a right to say that nobody shall observe *hartal*—"and warning that such actions are liable to prosecution under the Defence of India Rules thereby causing a good deal of inconvenience to a large number of persons in Noakhali on that day you are hereby directed to show cause . . . . . ", etc

Now, Sir, a notice was served on the Public Prosector, a respectable gentleman appointed permanently and not for a term to show cause why he should not be removed from the panel of Public Prosecutors. The letter indicated that the District Magistrate received the order to issue notice from the higher authorities, and the explanation of the Public Prosecutor was to be forwarded to Government. That shows not only that the District Magistrate is serving the interests of the Ministry, but it also proves the vindictive character of the Ministry itself. The Public Prosecutor was called upon to show cause why he did not attend the Darbar of the Chief Minister. He had told the District Magistrate that he had some session cases pending for that day; and he did not know whether the session cases would be taken up. On that day the District Judge was present at the Darbar and the cases did not come up. Still notice was served upon him to show cause why his name should not be removed from the panel of Public Prosecutors. A boy named Abdul Karim was arrested for just holding a black flag and bailed out on Rs. 100; and the telegrams which were sent from that locality to say that a *hartal* had taken place in Noakhali and that the *hartal* had been successful were withheld by the District Magistrate. Now, Sir, something more has been done. The Chairman of the Debt Settlement Board and members of the Debt Settlement Board are being threatened that they will be removed from their offices because they are suspected of having League sympathies. In Lakhimpur leaflets were being distributed before the Ministers arrived and the police snatched away those leaflets. Worse than that the Government Pleader of Lakhimpur, a respectable old gentleman—I had the pleasure of meeting him for the first time after the Ministers had departed—a very respectable gentleman, was served with notice on the 16th January,—Ministers were arriving at Lakhimpur on the 19th—to this effect: "You are actively participating in hostile demonstrations on the occasion of the visit of the Hon'ble Chief Minister". How could there be demonstrations before the Ministers arrived there, and yet this notice was served on the 16th, although the Ministers

arrived on the 19th, for "actively participating in hostile demonstrations on the occasion of the visit of the Chief Minister and other Ministers to Noakhali and whereas such demonstrations are likely to endanger the public peace.....", etc. This notice was served, and on the basis of this notice this gentleman has been removed from the office of Government Pleader. (Cries of "Shame, shame" from the Opposition benches.) I ask the House to judge whether the character of the Ministry has changed or not.

Now, Sir, in Sonaimuri there is a Madrassah; 200 boys study there. The school has had cent. per cent. success in the examinations. But all the grants have been withheld at the instance of the District Magistrate who is the Chairman of the District School Board. Is this the new policy of the Ministry to destroy an institution—an institution which is serving that locality and where so many students are getting education?

Now, Sir, in general all meetings of the Muslim League have been prohibited. As I have said before, the Muslim League is not a subversive organisation. We have done nothing against either the prosecution of war or against Government, or against the constitution. Our purpose is to educate the public, enlist their sympathies and ask them to join the League. What right has anybody to forbid these meetings, particularly in those places where the Ministers have themselves been to carry on their propaganda? Where the Ministers have already fouled the atmosphere we have every right to carry on our propaganda,, but instead all meetings have been forbidden. What possible justification can there be? The ground given is absurd.

(At this stage the member reached his time-limit but was allowed to continue though there were objections from the Coalition benches.)

We have already been gagged outside. Why do you desire to gag me inside? (Laughter).

The ground given by the District Magistrate is that the personnel of the Ministry is being attacked and not its policy, but the Ministry is composed of persons without any policy at all and they cannot possibly do any good to the country or even in the matter of prosecution of the war. At all events, I do maintain that if any prejudicial act has been done which will interfere seriously with the prosecution of the war, it is being done by the District Magistrates who are antagonising the Muslims and antagonising the Muslim League. We are anxious to see that the war is prosecuted properly but we also want the House to take note of the fact that injustice is being done to the Muslim community.

Let us now come to Tippera where the list is not very large. Maulana Azizur Rahman Islamabadi, a preacher, a pleader, was asked

to go out of Tippera for eight days, but the District Magistrate is not allowing any meetings to be held by him even after the expiry of the time.

Mr. Abdul Matin, an Assistant Recruiting Officer and a very loyal subject of Government was interned for 15 days previous to the arrival of the Ministers at Nangalkot lest there should be any public demonstration against them. One of the brilliant boys of our community was interned in Hajiganj for 15 days previous to the arrival of the Hon'ble Ministers there. All these things were done in order to control public opinion, and 4 persons were interned actually in their homes on the day on which the Hon'ble Ministers arrived at Hajiganj. Honourable members might remember that we wanted to hold a meeting on the 19th January at Daudkandi where the Ministers were expected on the 21st January. Permission was refused to us perhaps on the ground that our meeting might interfere with the reception of the Hon'ble Ministers. There was a meeting of mine to be held at Sarail in the subdivision of Brahmanbaria on the 29th January. Permission was asked for on the 13th January and for 14 days nothing was heard of. The District Magistrate gave us permission on the 27th of January in the evening, thinking, perhaps, that as he had given no time for the issue of leaflets the meeting might be dropped but it was not dropped.

Now, I come to another very important point. In Paschimgaon a number of black-flaggists wanted to welcome the Hon'ble Ministers; it was attacked by the Police when it was a mile away from them, and a gentleman who was carrying a black flag was arrested. The crowd shouted "Allaho-Akbar." A Pesh-Imam was arrested for shouting "Allaho-Akbar"——

(At this stage the honourable member reached the time-limit.)

Mr. DEPUTY SPEAKER: Order, order. You have already taken 32 minutes and it is not possible to give you more time.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. May I submit that there are 64 motions given notice of under General Administration for discussion on two days. Our party has got certain very important motions given notice of. May we request you, Sir, to kindly allot the total time to be taken by our friends to the left, by the Government and by ourselves respectively during these two days so that we may accommodate our speakers accordingly?

Mr. DEPUTY SPEAKER: Let us dispose of this motion first. I shall afterwards consult the Party leaders and then fix the time.

Maulvi ABU HOSSAIN SARKAR: I heard with rapt attention the speech delivered by my friend the ex-Hon'ble Mr. Suhrawardy and it reminded me of a Bengali proverb which runs thus "Bhuter mukhe Ram nam"——

Mr. H. S. SUHRAWARDY: On a small point of order, Sir. I wanted to speak somewhat later after hearing what the honourable members on the other side had to say, if they had any local knowledge of Noakhali and Tippera. I was given to understand that no one was going to speak from the other side. If I had been allowed to speak later, I would have been able to meet their points. I am sorry to say I have been misled.

Mr. DEPUTY SPEAKER: Mr. Suhrawardy, I gave you the maximum time that was possible. It is only fair on the part of the Chair to give Government a chance to place their viewpoint. So, I have asked Mr. Abu Hossain Sarkar to speak. After that, I shall also allow the Congress Party to speak on this motion which is considered by them to be of so much importance.

Mr. H. S. SUHRAWARDY: That is true, Sir. I thought that no one was going to speak from the other side except the Hon'ble the Chief Minister. I don't understand how you associate Mr. Abu Hossain Sarkar with the Government.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, may I make a suggestion? Mr. Suhrawardy complains that it would be better if he knew what Government had to say with regard to some very serious allegations that had been made against our District Officers. Sir, although it may be somewhat unusual, I am prepared to make a statement with reference to the charges that have been made and let the House have a debate on the facts that I may disclose. I think that it is fair to the Opposition that they should know what I have got to say in answer to the allegations that have been made and if that commends itself to the House, I shall be prepared to make a brief statement.

Mr. DEPUTY SPEAKER: After the Leader of the House has made his statement, I shall call upon Sir Nazimuddin to close the debate or the Leader of the Congress Party will have a chance. Are you prepared to adopt that course?

Mr. FAZLUR RAHMAN: Let the Leader of the House make a statement.

Mr. GIASUDDIN AHMED: The Hon'ble Chief Minister should have a right of reply.

Mr. NIHARENDU DUTTA MAZUMDAR: The Hon'ble Chief Minister should be called upon to make a statement at the end of the debate.

The Hon'ble Mr. A. K. FAZLUL HUQ: The reason why I wish to make a statement is simply this. I find that it would not be possible for speakers on either side to take part in the debate with calmness, consideration and also without passion or prejudice. I wish to make a clean statement of facts as far as I know and as far as I have been able to ascertain. It would clarify matters and it may be that it would put an end to an acrimonious debate. It is for this reason that I desire to make a statement as briefly as possible if the House permits.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, it would be most convenient if the Hon'ble Chief Minister were called upon at the end of the debate to make a statement and meet all the points raised in the course of the debate. This would avoid duplication of speeches. I suggest, Sir, that Mr. Abu Hossain Sarkar who was already on his legs should be allowed to continue. At the end of the debate the Hon'ble Chief Minister may make his statement.

Mr. DEPUTY SPEAKER: It has been the tradition of this House that whenever the Leader of the House or the Leader of the Opposition wants to make a statement the House permits him to make that statement without interruption.

Mr. NIHARENDU DUTTA MAZUMDAR: I rise to a point of order, Sir. The Leader of the House was pleased to say that he would like to make a statement later on if he is not now allowed to make it.

Mr. DEPUTY SPEAKER: The Leader of the House can, I think, make a statement at any time in the House.

Maulvi ABU HOSSAIN SARKAR: As I was just going to say, Sir, the attitude of the honourable Mr. Suhrawardy——

Mr. H. S. SUHRAWARDY: I am no longer honourable and I am happy that I am not called honourable along with that body of persons who have now got that appendage.

Maulvi ABU HOSSAIN SARKAR: As I was just going to say, Sir, the attitude of Mr. Suhrawardy, no longer honourable as he has himself said, reminds me of a Bengali proverb "ভূতের মুখে রাম নাম"। He has characterised the activities of the present Government as oppressive to a section of our countrymen, namely, the Muslim

Leaguers, but let me remind this House, and especially Mr. Suhrawardy, of the activities of the Government which Mr. Suhrawardy had the honour of adorning as a bright luminary.

I will only refer to some of the oppressions perpetrated by the Government in which Mr. Suhrawardy had a seat, on political parties who were then in the Opposition.

Mr. H. S. SUHRAWARDY: But we are not a subversive organisation.

Maulvi ABU HOSSAIN SARKAR: The first instance of their oppression appeared in their attempt to muzzle the Press. The Krishak-Proja party had a paper called "Krishak-Proja." This weekly paper used to criticize the policy and the activities of Government of the day——

Maulvi ABUL HASHIM: But Mr. Suhrawardy had nothing to do with the muzzling of the Press. He was not the Chief Minister who was primarily responsible for it.

Maulvi ABU HOSSAIN SARKAR: Sir, because of that attitude of that paper——(Loud noise from the Opposition Benches.)

Mr. FAZLUR RAHMAN: On a point of order, Sir. My point is that the motion before the House refers to the activities of the two District Magistrates of Noakhali and Tippera. Therefore, Sir, the speaker is quite irrelevant when he refers to extraneous matters having not the remotest bearing on the subject under discussion. I would ask you, Sir, to request the present speaker to be relevant.

Mr. DEPUTY SPEAKER: As far as I can understand, it may be that he is developing his point by referring to past incidents and I hope he will presently come to the subject matter under discussion.

Maulvi ABU HOSSAIN SARKAR: Thank you, Sir.

Then, Sir, the whole press and its office was one day surrounded by a gang of policemen and the press was seized by force of arms and the paper subsequently had to stop its publication. This is only one instance of the oppressions of the Government of which Mr. Suhrawardy was a bright jewel——

Mr. SYED ABDUL MAJID: On a point of order, Sir. The present motion relates to the activities of certain District Magistrates and that matter has already been thoroughly discussed. In view of that fact, Sir, I beg to submit whether my honourable friend opposite is entitled to refer to something which happened long long ago.

Mr. DEPUTY SPEAKER: As I have already stated, he is referring to past incidents with a view to developing his point and I have allowed him to do so. I hope the Opposition will please have some patience and give him a hearing and there will be no more of interruptions. When Mr. Suhrawardy was speaking there was no disturbance and, therefore, it is only fair that the Opposition should allow the present speaker to develop his points in his own way.

Mr. H. S. SUHRAWARDY: May I submit, Sir, that the present motion relates to the conduct of the District Magistrates of Noakhali and Tippera and that it has nothing to do with the activities of the past Ministry. In the second place, Sir, I cannot be blamed for all the activities of the previous Government. As a matter of fact I, who was just an ordinary Minister in the previous Fazlul Huq Government and who was certainly not the Chief Minister, cannot be blamed for all its activities.

Maulvi ABU HOSSAIN SARKAR: It may be, Sir, that Mr. Suhrawardy was not the Chief Minister in the previous Government but there is no denying the fact that Mr. Suhrawardy happened to be a leading luminary in the Cabinet.

Then, Sir, with regard to the meeting of Muslim League held in the Dental College Hall where you were elected the Secretary of the then Moslem League one Mr. Robertson of the Calcutta Police with a body of constables broke open the door of the House in which the meeting was being held and forcibly dispersed the gathering at the instance of the Government of Mr. Suhrawardy.

Again, when the Opposition of the then Government organised a meeting somewhere in the district of Faridpur of which my honourable friend, Mr. Abul Fazl, was the president, a gang of policemen was sent immediately by the Government of Mr. Suhrawardy for dispersing the meeting by force of arms.

Then, Sir, you know fully and this House also knows of the Park Circus incident in which Mr. Humayun Kabir of the Bengal Legislative Council and Mr. Abul Mansoor, two respectable public men, were badly beaten and insulted by the hooligans of Mr. Suhrawardy, and why?—Because they had committed the sin of being in the Opposition. And the wonder of all wonders is that Sir Nazimuddin and Mr. Suhrawardy were later on found shaking the hands with the leader of those hooligans who took part in that nefarious affair.

Then again, Mr. Deputy Speaker, you know that a meeting was organised by the members of the Opposition at Gaibandha and it had been arranged that the leaders will be accommodated in the Dak

Bungalow. But when the leaders went there, they found the wife of the District Magistrate occupying the Dak Bungalow at the instance of Mr. Suhrawardy.

Mr. Deputy Speaker, you know the incident when the meeting of the Jamiat-ul-Ulema was being held in Calcutta under the presidentship of that most venerable gentleman, Mr. Obaidullah Sindhi. That meeting was dispersed by a body of police force and a gang of hooligans and goondas who belonged to the party of the ex-honourable Mr. Suhrawardy——

Mr. H. S. SUHRAWARDY: It is a lie.

Maulvi ABU HOSSAIN SARKAR: Then, Mr. Deputy Speaker, you know of the other incident at Comilla where when a meeting was being held in the Town Hall a respectable gentleman, Mr. Ashrafuddin Ahmed Chaudhury was assaulted——

Khwaja Sir NAZIMUDDIN: On a point of order, Sir. The honourable member has had plenty of time to develop his point and I submit that up to now there has been no relevancy in his speech. I appeal to you to see that the honourable member is relevant to the point.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir. Before you give your ruling on this point of order, I wish to make a statement because otherwise I would not get an opportunity to do so. We are discussing "General Administration". The Hon'ble Mr. Suhrawardy's speech (Cries of "No, no, not honourable.")—I find there is objection to the appellation "Hon'ble", then I withdraw it—my friend Mr. Suhrawardy's speech and Mr Abu Hossain Sarkar's speech give a comparison on the question of "General Administration" between the activities of the past Ministry and those of the present one. In the circumstances, it is necessary now that all these facts should be placed before the House so that the House may form its own judgment and there need be no concealment of facts unless there are people who are afraid of these facts. It is those facts of which they were guilty and for which they were responsible. We on this side without demur and with the greatest patience gave the most courteous hearing to our friend on the other side who spoke just before and there was not that organised interruption by frivolous points of order with a view to create disorder. But, Sir, they have not followed that example. Therefore, I suggest that if these needless points of disorder in the garb of order are allowed to continue, then, Sir, that may be followed by members on this side. Mr. Abu Hossain Sarkar has

been interrupted time and again and the time of the House has been unnecessarily wasted. We wish the other side to show the same courtesy as the previous honourable member has enjoyed.

Mr. DEPUTY SPEAKER: So far as the point of order raised by Sir Nazimuddin is concerned, I may tell him that I am closely following the speech of Mr. Abu Hossain Sarkar and the trend of his speech leads me to think that he is making a comparison of the past Government with the present Government and I think that he is coming to his conclusion with regard to the activities of the present Government and he is trying to meet the points raised by Mr. H. S. Suhrawardy. Let me hear him further and if necessary I will stop him.

Mr. ABU HOSSAIN SARKAR: In that meeting, Mr. Deputy Speaker, you will be horrified to know that the cap of Mr. Ashrafuddin Ahmed Choudhury was taken away from his head and was burnt in the open street.

Again, Sir, you know the incident which took place with reference to another honourable member, I mean Dr. Sanaullah, in Chittagong. He was going somewhere to conduct propaganda against the then Government and he was attacked by the hooligans of the Muslim League, his amama, his cap and his long coat, usually worn by the Hajis of Bengal, were taken away and made a show of in order to disgrace the most honourable Doctor of the Calcutta High Court.

Sir, these are some of the instances which characterised the Government of which the honourable Mr. Suhrawardy happened to be a member.

Coming to the other side of the picture, I may remind the honourable Mr. Suhrawardy as to how he set Government officers to suppress propaganda against his Government. I happened to be in the Opposition and generally I used to practise at that time in Gaibandha. There the Subdivisional Officer was a Muslim Leaguer, the Subdivisional Munsif was in support of the Muslim League and not only that, the thana officer, the police inspector, the railway station master, the post master, the sub-inspector of schools and other officers of Government or semi-Government institutions were all at that time supporters of the Muslim League and they were placed there in order to suppress the movement of the Krishak-Praja Party which conducted activities against the then Ministry of which Mr. Suhrawardy happened to be a member. These were the actual things and this Mr. Suhrawardy now comes forward and says that the Government officers are now oppressing the Muslim Leaguers, but who are these officers? The District Magistrate of Comilla happened to be the Subdivisional Officer of my subdivision. He was Sir Nazimuddin's man and he was sent to

suppress the propaganda against the then Ministry. The present conduct of that gentleman is also questionable. Mr. Suhrawardy was very loud in complaining against him, but he did not see the other side. I may remind him that when the Hon'ble Ministers of this Government went to Comilla, that gentleman issued orders under section 144 against the Krishak-Praja workers who belong to the Ministerial Party now. Again, when the workers of that party were arranging for the reception of the Ministers, they were openly beaten by the Muslim Leaguers and more than a dozen people were wounded and the District Magistrate did not take any steps whatsoever which were expected from that officer.

Now, Sir, I forgot to mention another thing. What about the Jessore District Board? A meeting of some members or bogus members was held under a tree and the most respected Chairman of that district Mr. Waliur Rahman, M.L.A., was removed from the chairmanship on a flimsy ground. But the Court came to his rescue and he was restored to his chairmanship. What does Mr. Suhrawardy say about the conduct of his Government now? What about the case against Mr. Nausherali? The honourable gentleman conducted propaganda against the arbitrary orders of the Government for jute restriction and he along with some other M.L.As. were arrested and were awarded the brutal punishment of one and a half years' imprisonment and a fine of Rs. 600. Can Mr. Suhrawardy say that that punishment was very lenient? Very recently all the honourable gentlemen were acquitted by the High Court. This was the character of the Government that was conducted by Mr. Suhrawardy and his gang.

Now, coming to the present circumstances, I may mention at least one instance in which his Muslim Leaguers beat an honourable member of this House, Mr. Hasanuzzaman. Is he not now conducting the whole gang to discredit the present Government? He complains of oppression and gives instances. I do not know whether they are true or not. The Hon'ble Chief Minister who is also the Home Minister is in possession of facts and he will state about these cases, but I am prepared to say——

Mr. DEPUTY SPEAKER: Mr. Sarkar, your time is up and I will have to accommodate one or two more speakers.

Dr. NALINAKSHA SANYAL: Sir, the question be now put.

Mr. ABU HOSSAIN SARKAR: That it is the business of Mr. Suhrawardy to set people deliberately to break the law to gain cheap popularity and discredit the present Ministry.

Dr. NALINAKSHA SANYAL: Sir, I move the closure motion.

Mr. DEPUTY SPEAKER: My intention was that I would ask Mr. Datta to speak now. If you are serious about the closure motion, I will have to ask the Hon'ble Chief Minister to speak now.

Dr. NALINAKSHA SANYAL: Sir, as I have been insisting from the beginning, there should be a time-limit, otherwise many important matters would be shut out. Three minutes may be given to Mr. Datta and 10 minutes to the Hon'ble Chief Minister.

Mr. DEPUTY SPEAKER: Mr. intention is that I will give 10 minutes to Mr. Datta, 5 minutes to Mr. Golam Sarwar Hosaini and will ask the Hon'ble Chief Minister to speak afterwards.

Dr. NALINAKSHA SANYAL: Sir, I may submit that Mr. Datta will not take more than 3 to 4 minutes and you may give whatever time you think reasonable to the Hon'ble Chief Minister.

Mr. DHIRENDRA NATH DATTA: Mr. Deputy Speaker, Sir, I want to make the position of the Congress Party in regard to this motion clear. We fully recognise the necessity for securing civil liberty, and the Congress during the last few years has been insistently demanding that Government should refrain from taking such measures as are directed to curtail the liberties of the people. In order to secure civil liberty we are determined to take some amount of risk. While this has been the policy of the Congress all along, the Congress has also been anxious to see that hooliganism may not grow in the country, especially during the emergency through which we are now passing and liberty may not degenerate into licence. Such being the position of the Congress and having in our possession facts regarding the events that have happened in the district of Tippera, and regarding the anti-national activities of some section of the Muslim League, we feel that our party will not be justified in extending their support to this motion especially in the form in which it has been moved.

Mr. Deputy Speaker, I know of certain incidents that happened in the district of Tippera. Before the visit of the Hon'ble Ministers there was a visit of Sir Nazimuddin, Mr. Suhrawardy and Maulana Akram Khan. On that occasion some persons on behalf of the Krishak-Proja Party went to the station with black flag to demonstrate their disapproval of their conduct, but, Sir, those persons who went with black flag were beaten by some Muslim Leaguers at the station ("Shame, Shame," from the Coalition Benches) and as a result they were injured. Those supporters of the Moslem League who went to the station were armed with *lathis* and other deadly weapons, but the District Magistrate did not take proper steps to help those persons who went there to demonstrate their disapproval with black flag.

Then some time after an honourable member of this House, Maulvi Hasanuzzaman, was assaulted in broad daylight in the town of Comilla by certain Muslim Leaguers.

Mr. H. S. SUHRAWARDY: On a point of order, Sir. This matter is *sub judice* and, therefore, is it proper on the part of a member to refer to it and say that persons were assaulted by certain Muslim Leaguers?

Mr. DEPUTY SPEAKER: I do not think, Mr. Suhrawardy, it is a point of order.

Mr. DHIRENDRA NATH DATTA: Sir, I do not know when the Hon'ble Ministers went to Noakhali. Some incidents did happen in the Laksam station—

Mr. ABDUR RAHMAN SIDDIQI: On a point of order, Sir. I seek your ruling on this point: are we permitted to refer to matters which are *sub judice*?

Mr. DEPUTY SPEAKER: The point of order raised by Mr. Suhrawardy is that the matter under discussion is *sub judice*. He did not make any particular reference. Mr. Dattta said that some gentlemen were assaulted by some Muslim Leaguers. I do not know whether the matter is in a Court.

Mr. H. S. SUHRAWARDY: I am pointing out that the matter is in a court and the statement made by Mr. Datta is not correct.

Mr. DEPUTY SPEAKER: All these are questions of facts. I have, therefore, allowed Mr. Datta to go on.

Mr. ABDUR RAHMAN SIDDIQI: I want your ruling, Sir. Are we allowed to refer to matters which are *sub judice* in our speeches in this House?

Mr. DEPUTY SPEAKER: Certainly not. We cannot. But in this matter I do not know whether it is in a court or not. It is a general remark against some Muslim Leaguers and I have, therefore, allowed Mr. Datta to go on.

Mr. NIKUNJA BEHARI MAITI: Is it your ruling, Sir, that a fact about which any member speaks and about which you do not know anything and which is already a *sub judice* matter will be allowed to be discussed? I want to know if in that case your ruling would be that the discussion can be held.

Mr. DEPUTY SPEAKER: That is no point of order.

Mr. DHIRENDRA NATH DATTA: When the Hon'ble Ministers went to Noakhali, something happened at Laksham and prosecution was started against some persons who claimed to be Muslim Leaguers. These persons admitted that the procession was held without the permission of the District Magistrate. They were prosecuted and sentenced till the rising of the Court. I do not know what exactly happened in the district of Noakhali. But I was in the district of Tippera, I was in the town of Comilla and I know that nothing has happened which can justify a motion like this. On the other hand, it is the Krishak-Proja Party and those who demonstrated their disapproval of the conduct of the Muslim Leaguers were badly treated by the District Magistrate. Therefore, in view of the facts which I am in possession, I do not think that we can lend our support to this motion though we are fully aware or rather anxious to secure the liberties of the people. So far as Noakhali is concerned, I am not aware of it. I do not know what has happened there, but as in the motion there is a reference to the activities in the district of Tippera, though we are fully anxious to secure civil liberties of the people, we cannot lend our support to this motion.

Sir, before I take my seat I want to mention one fact. Mr. Suhrawardy has referred to facts that on the 26th of January a procession was held without the permission of the District Magistrate. This House is aware that so far as 26th January is concerned a circular was issued by the Government to this effect that for celebrating the Independence Day processions and meetings can be held without the permission of the District Magistrate and as a matter of fact last year and the year before last such processions and meetings were held in the town of Comilla without the permission of the District Magistrate. So reference to activities, namely, processions and meetings held on the 26th January for celebrating the Independence Day ought not to have been made by Mr. Suhrawardy.

There was a circular and perhaps he was not aware of it. The processions and meetings were held previously without the permission of the District Magistrate. This time also processions and meetings were held without the permission of the District Magistrate. Sir, I have tried to make the position of our party clear that though we are anxious to secure the liberty of the people, we cannot lend our support to this motion especially in the form in which the motion has been worded.

Mr. SHAH SYED GOLAM SARWAR HOSAINI: আজকের অধিবেশনে এই পরিষদের সম্মান্ত সদস্য মিঃ ছোরাবর্দী এবং মিঃ ফয়াদ চৌধুরী নোয়াখালী ও ত্রিপুরার কালেক্টার ও শাসন প্রণালীর ব্যাপারে—

Dr. NALINAKSHA SANYAL: On a point of order, Sir. When do you propose to put this matter to guillotine and when you will allow us to move our motion?

Mr. DEPUTY SPEAKER: I will try to finish by 11 o'clock.

Dr. NALINAKSHA SANYAL: Will we sit up to 1 o'clock? Otherwise how can you take other motions?

Mr. DEPUTY SPEAKER: You have got two days.

Dr. NALINAKSHA SANYAL: I hope you will then see that no other motion is moved before our motion is taken up.

Mr. SHAH SYED GOLAM SARWAR HOSAINI: যে তীব্র সমালোচনা করিয়াছেন আমি এই পরিষদে দাঁড়াইয়া দৃঢ়ভাবে বলিতেছি যে নোয়াখালী ও ত্রিপুরার উপরে মিঃ ছোরওয়ার্দ্দী এবং ফরহাদ চৌধুরী আজ তাঁদের বক্তৃতায় ঘোরতর অন্যায় করিয়াছেন। আমি ত্রিপুরার কলেক্টারের বিষয়ে অত অভিজ্ঞ নই, কিন্তু নোয়াখালীর ডিষ্ট্রীক্ট ম্যাজিষ্ট্রেট সম্বন্ধে আমি বিশেষরূপ অভিজ্ঞতা রাখি। নোয়াখালীর ডিষ্ট্রীক্ট ম্যাজিষ্ট্রেট ও তাহার administration সম্বন্ধে মিঃ ছোরওয়ার্দ্দি যে সমস্ত অভিযোগ উপস্থিত করিয়াছেন আমি নোয়াখালীর একজন অধিবাসী ও জনসাধারণের প্রতিনিধি হিসাবে মিঃ ছোরওয়ার্দ্দির সেই সমস্ত অভিযোগের তীব্র প্রতিবাদ করিতেছি। কেননা বিরুদ্ধ দল অন্যায়ভাবে একজন অভিজ্ঞ, কার্য্যদক্ষ, নিরপেক্ষ এবং জনপ্রিয় ম্যাজিষ্ট্রেটকে সরকারের ও দেশের নিকট হেয় করিতে চেষ্টা করিয়াছেন। আমি একজন মোছলেম লীগ কর্ম্মী হিসাবে বলিতেছি যে নোয়াখালীর ম্যাজিষ্ট্রেট লীগকর্ম্মীদিগকে সম্মান করিয়া থাকেন। মিঃ ছোরওয়ার্দ্দি কলিকাতায় থাকেন, নোয়াখালী হইতে কলিকাতা ৪৫০ মাইল দূরে। এতদূরের একজন অধিবাসীর ৪৫০ মাইল দূরের জেলার সম্বন্ধে অভিযোগ করিলে সেটা বিশ্বাসযোগ্য হইতে পারে না। মিঃ ফরহাদ চৌধুরীর বাড়ী মুর্শিদাবাদ জেলায় (A voice : মুর্শিদাবাদ নয়, যশোহর।) নোয়াখালী থেকে অনেক দূরে। তিনিও যে সমস্ত কথা নোয়াখালী ও ত্রিপুরার সম্বন্ধে বলিয়াছেন সত্যের সঙ্গে তার মোটেই সম্পর্ক নাই। তারপরে এই পরিষদের বিরুদ্ধদলকে জানিয়ে দিতে চাই যে নোয়াখালীর জনপ্রিয় ডিষ্ট্রীক্ট ম্যাজিষ্ট্রেটের কর্ম্মপন্থা ও শাসন প্রণালী সম্পূর্ণ নিরপেক্ষ। তাঁহার সমালোচনা না করে আজ তাঁর নিকট কৃতজ্ঞতা জানান উচিত ছিল। কেননা নোয়াখালীতে যে সময় তাঁরা উপস্থিত হয়েছিলেন নোয়াখালীর জনসাধারণ ক্ষিপ্ত অবস্থায় যেভাবে তাঁদের অভ্যর্থনা করিতে অগ্রসর হয়েছিল তাতে সেখানে তাঁদের জীবনের বিষয়ে বিশেষ ভয় ছিল। নোয়াখালীর ডিষ্ট্রীক্ট ম্যাজিষ্ট্রেট এবং সরকারী কর্ম্মচারীবৃন্দ তাঁদের সেখানে রক্ষা করিয়াছিলেন। মিষ্টার ছোহরাওয়ার্দ্দী, স্যার নাজিমুদ্দীন, মিঃ তমিজুদ্দিন, খাঁ বাহাদুর আবদুল মোমিন প্রভৃতির যখন নোয়াখালী যাওয়ার সংবাদ নোয়াখালীতে পৌঁছায় তখন আমি এবং আমার সহকর্ম্মী বিশেষ জোরে নোয়াখালীর

কৃষকপ্রজার কর্ম্মীরা নোয়াখালীর লীগ প্রেসিডেণ্ট খাঁ বাহাদুর আবদুল গফরান এবং সেক্রেটারী মজিবর রহমানকে বলেছিলাম, "দেখ ওঁরা নোয়াখালী আসুচেন, তোমরা কোন ভয় কোরো না। আমাদের প্রধান মন্ত্রী ফজলুল হক সাহেবও আসুচেন; তাঁর আগমন কালে তোমরা কোন রকম প্রতিবন্ধকতা ক'রতে পারবে না। যদি কর তাহলে নোয়াখালী থেকে সসম্মানে তাঁরা যেতে পারবেন না। যদি প্রধান মন্ত্রীর উপর কোন রকম আক্রমণ হয় তাহ'লে নোয়াখালী দাঁড়াবে তাঁর পক্ষে। নোয়াখালী ছোহরাবর্দ্দী সাহেবের নয়, নোয়াখালী স্যার নাজিমুদ্দীনের নয়, নোয়াখালী আবদুল মোমিনের নয়, নোয়াখালী তমিজুদ্দীনের নয়। নোয়াখালী বাংলার প্রিয় নেতা চিরসেবক ফজলুল হকের (cheers)। খাঁ বাহাদুর আবদুল গফরান সাহেব প্রতিশ্রুতি দিয়েছিলেন যে ফজলুল হক সাহেব যখন আসবেন আমরা তোমাদের সঙ্গে মিলে তাঁকে অভ্যর্থনা ক'রব।" এই ভাবে কথা বলায় তাঁর সঙ্গে একটা সন্ধি হইয়া যায়। তারপরে বিগত কোর্‌বানীর সময় ঈদের নমাজ পড়িয়া যখন বাড়ী আসি তখন দেখি নোয়াখালী জেলার বিভিন্ন জায়গায় মাননীয় প্রধান মন্ত্রীর বিরুদ্ধে "সমাজদ্রোহী সেনাপতি" নামক বিজ্ঞাপন প্রচারিত হয়েছে এই বিজ্ঞাপন প্রচার করায় তথাকথিত (নোয়াখালীর) লীগকর্ম্মীদের বিরুদ্ধে জনসাধারণ ভীষণ উত্তেজিত হয়। তারা বলে, "এ নিয়ে কি ক'রতে হবে বোলে দিন।" তখন আমি নোয়াখালী সহরে যাই। সহরে যেয়ে লীগ সেক্রেটারী এবং লীগ প্রেসিডেণ্টকে ডাকিয়া বলিলাম, "এই কি তোমাদের প্রতিশ্রুতি রক্ষা? সন্ধির সর্ত্ত রক্ষা ক'রেছ এই রকম কোরে? এখন দেখতে পাবে এই নোয়াখালীতে তোমরা কতটুকু জায়গা অধিকার কোরে আছ, আর ফজলুল হক সাহেবের কৃষকপ্রজা দল কতটুকু জায়গা অধিকার কোরে আছে।" মজিবোর রহমানের প্রচারিত বিজ্ঞাপন "সমাজদ্রোহী সেনাপতি" ফজলুল হক সাহেবকে অনেক রকম আক্রমণ ক'রেছে, তাঁর মন্ত্রিসভাকে আক্রমণ ক'রেছে। তাহাতেই ছোহরাবর্দ্দী সাহেব এবং স্যার নাজিমুদ্দীনের বিরুদ্ধে নোয়াখালীতে একটী বৃহৎ জনমত প্রস্তুত হয়েছিল। ফেণীতে এবং নোয়াখালীর স্থানে স্থানে কৃষ্ণ পতাকাদ্বারা সম্বর্দ্ধনা হয়েছে এবং নোয়াখালীর স্থানে স্থানে যে সমস্ত সভা ক'রেছেন সেই সভায় attendance খুব কম হয়েছিল। নোয়াখালীর অবস্থা উত্তপ্ত করিবার জন্য, নোয়াখালীর জনগণকে হক সাহেবের বিরুদ্ধ করিবার জন্য ছোহরওয়ার্দ্দী সাহেব কলিকাতা থেকে টাকা ও লোক পাঠাইয়াছিলেন। ফেণী ও নোয়াখালীর বিভিন্ন স্থানে বহু টাকা দস্তুরমত গুণ্ডাদের হাত দিয়া মন্ত্রিসভার বিরুদ্ধে নানা রকম প্রচার করিবার জন্য খরচ করার বন্দোবস্ত হইয়াছিল।

Public Prosecutor নোয়াখালীর অশান্তির মূল কারণ। তাঁহার মতের বিরোধীদিগের প্রতি তিনি পুলিশ লেলাইয়া দিয়া থাকেন। এবং নোয়াখালীর সেসনের মোকদ্দমায় সুবিচার হয় না বলিলেও অন্যায় হইবে না। নোয়াখালীবাসী Public Prosecutorর আচরণে অত্যন্ত বিরক্ত। বর্ত্তমান Public Prosecutorর সততার উপরেও জনসাধারণের গভীর সন্দেহ আছে। তাই নোয়াখালীবাসী Public Prosecutorর পরিবর্ত্তন চায়।

ডেপুটী স্পীকার সাহেব! মিঃ ছোহরওয়ার্দ্দী ও তাঁর দল লীগের ধ্বজা উড়াইয়া মুসলমান সমাজকে ফাঁকি দিতে চেষ্টা করিতেছেন। মিঃ ছোহরওয়ার্দ্দী, স্যার নাজিমুদ্দিন মন্ত্রী থাকা কালে বহু লীগকর্ম্মী নির্য্যাতিত ও অপমানিত হইয়াছে। মন্ত্রী থাকাকালীন

৪।৫ বৎসরের মধ্যে লীগের জন্য নোয়াখালী ও ত্রিপুরায় ভ্রমণ করিতে দেখি নাই। মন্ত্রিত্ব যাওয়ার সঙ্গে সঙ্গে লীগের নামে পাগল হইয়া ছুটিয়াছেন। বাংলার মুসলমান সমাজ সব বুঝিতে পারিয়াছে। লীগের আশ্রয়ে আবার মন্ত্রীর গদীতে বসিবার জন্য এই আন্দোলন, আমরাও লীগে আছি এবং থাকিব। লীগের সেবা স্বার্থপরতার অনেক উপরে। নোয়াখালীর বর্ত্তমান ম্যাজিষ্ট্রেট সম্পর্কে একটী কথা বলিয়াই আমি শেষ করিতেছি। এই প্রদেশে, সাম্প্রদায়িক ঐক্য প্রতিষ্ঠার জন্য, দেশের দলাদলি বিদূরিত করার জন্য যদি গভর্ণমেণ্ট কোন কর্ম্মচারী নিযুক্ত করেন তাহা হইলে সেই পদের জন্য নোয়াখালীর জেলা ম্যাজিষ্ট্রেট মহাশয়ই বিশেষ উপযুক্ত।

The Hon'ble Mr. A. K. FAZLAL HUQ: Mr. Deputy Speaker, Sir, I have got to say a few words in reply to this debate. Before I do so, I shall begin with a very sincere prayer to the Almighty that in whatever I may say in the course of my speech I may not be led to make any false statements or say anything which may wound the feelings of my political opponents. Sir, I am a sinner, but my prayer may be accepted by God.

My object is to bring about a peaceful atmosphere so that the civil war that is now going on in this country may cease and that all our efforts may be co-ordinated towards meeting the aggression of the enemy and that we may all work together hand in hand for the good of our common motherland. I find not merely from the speeches that have been delivered but also from the questions that have been put to me by various members of the Opposition as also from what appears in the press which supports the Opposition that many of the allegations that are made against me or against this Ministry are founded on absolute untruths, exaggerations, half-truths, distortions of facts which must necessarily mislead people who do not know what the actual facts are. Now, Sir, my friend Mr. Farhad Raza Choudhury who opened the debate spoke of my treacherous act I forgive him for what he has said because the poor innocent lamb does not know the meaning of the word he has used. I am sure he has innocently read out the speech which was written by somebody else for him. These words do not harm me in the least because I have filed certain suits in the High Court and I want the defendants to go into the witness box and face cross-examination. The world can then see wherein lies the treachery, who is the traitor, and who are the betrayers.

Sir, ever since we took office nearly three months ago, my friends in Opposition have not only had the utmost latitude in their speeches and propaganda but that this latitude has not merely overstepped the bounds of discretion but has been positively harmful in bringing about a condition of things which we all now very deeply deplore.

As regards the meetings held by the Muslim League, the House will be surprised to hear and, I think, even the members of the Opposition will be surprised to hear, that they have held no less than 427 meetings up to the end of February, 1942. Most of these were unauthorised meetings, in some of which even the leaders of the Muslim League party have taken part. The process that had been followed all along was simply this: Permission was sought for a meeting to be attended by leaders. But on that day, throughout the district and in the neighbourhood, hundreds of their emissaries collected people and instead of making speeches and criticisms condemning the policy of the present Ministry they indulged in personal abuses, distortion of facts and poured abuses on my devoted head. I have been compared with most despicable characters known in history. I have been called a traitor, I have been called a betrayer (Voices from the Opposition Benches—Rightly) I know, Sir, my friends opposite have got wounds in their heart which have lacerated their feelings in consequence of the favours they have several times received at my hands. They may think that the abuses they have poured on me and the distortion of facts will carry the day for them. They may also think that the statements they have made and the distortion of facts and untruths they have indulged in will hoodwink the people and they will be able to win over our supporters to join the Opposition. I may tell them, God the Almighty has always saved me and will also save me now. I can declare here and now that in spite of the campaigns that have taken place against myself and my ministry, in spite of the tremendous efforts that have been made to mislead the people and to hoodwink them not a single supporter of mine has ever wavered or will ever do so. (Cries of "Hear, hear" from the Progressive Coalition Benches.) Therefore, I am determined here and now to carry this Ministry on through the mercy of Providence. (Loud noise and cries of "The verdict of the people will be given at the time of the next General Election.") I have got accustomed to these challenges of General Election. I declare here and now that I am the first man who would like to have a General Election even now, if possible. (Mr. Abul Hashim rose on his feet and wanted to speak something.) I know the feelings of the party opposite, and I also know that some of the leaders of that party had been assaulted by the public when they wanted to say anything against me.

As regards these challenges, may I remind the honourable members of the Opposition that such challenges were thrown out to me in 1936 also; I had accepted those challenges at that time. And if through the mercy of Providence the General Election comes now, I am quite sure that history will repeat itself, and I know quite well on which side the verdict of the people will be.

Sir, I am speaking about facts now, to which reference has been made by my friend Mr. Suhrawardy whom I congratulate for the very mild tone of his speech and to whom I convey my thanks for not being bitter against me which he could have been. May I tell Mr. Suhrawardy that his information about *hartals* in Noakhali and all that he has said are not quite true? As regards my friend Mr. Farhad Raza Choudhury, he not only does not belong to Noakhali, but I do not think he has ever been to Noakhali. Mr. Suhrawardy has been to Noakhali and some of the facts are perhaps within his knowledge. As regards others he has been talking like a barrister from his brief containing false statements.

As regards the complete *hartal*, may I tell my friend that I was at Noakhali on the day he has referred to? Efforts were made by my friend Mr. Abdul Gofran, Public Prosecutor, in his position as Chairman of the Municipality, to induce the public to close their shops on the pain of condign punishment. The District Magistrate thereupon issued a notice that if these *hartals* were observed he would see that the transgressors of law were punished. Now, Sir, so far as the *hartal* is concerned, I went about the streets and found that there was absolutely no *hartal*. (Cries of "there was *hartal*" from the Opposition Benches.) I am only making a statement, you may or may not believe it. I say there was no *hartal*; Mr. Suhrawardy says that there was a *hartal*. If it pleases the members of the Opposition, let them assume there was a *hartal*, but it will not lead us anywhere. Thank God, I am here in spite of the *hartal*; and if it pleases Providence I will be here in spite of *hartals* or anything else.

Mr. H. S. SUHRAWARDY: On a point of personal explanation, Sir.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir. Personal explanation can come only at the end——

Mr. H. S. SUHRAWARDY: Sir, I had no desire to raise the question of *hartal*——

Mr. NIHARENDU DUTTA MAZUMDAR: What is your ruling, Sir, on my point of order?

Mr. DEPUTY SPEAKER: Order, order. Mr. Suhrawardy has already stood on a point of personal explanation and he must be allowed to finish his point of personal explanation.

Mr. NIHARENDU DUTTA MAZUMDAR: But I respectfully submit, Sir, that a point of order must have precedence. It has been

the rule in this House, time and again, when a member rose on a point of personal explanation, that he must do it at the end of the speech in which some points have been raised requiring a personal explanation from somebody. May we know, Sir, if you will hold on to that convention or you hold a different view?

Mr. DEPUTY SPEAKER: Mr. Dutta Mazumdar, I am sorry, I do not agree with you. The honourable member is entitled to rise on a point of personal explanation here and now.

(At this stage Mr. H. S. Suhrawardy rose to speak again by way of personal explanation when there was a tremendous noise both from the Progressive Coalition Benches and from the Opposition Benches.)

Dr. NALINAKSHA SANYAL: Sir, the question be now put. You said that you would put the question at 11 o'clock

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I would like to have some more time because owing to these interruptions I could not deal with all the points raised.

Dr. NALINAKSHA SANYAL: How can we help it?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I wanted to make a detailed reply—

(Mr. H. S. SUHRAWARDY: Please do not make it a personal question.) No, I will not; if I do, please forgive me.

My friend Mr. Suhrawardy has said that the Opposition party should have a right to express their opinion on the Government in power. I entirely agree and if that right is denied to the Opposition, there is an end of party system of democratic government. I entirely agree and if my friend will take the trouble of seeing me and do me the honour of talking to me and pointing out to me wherein this right has been denied to my friends, I promise here and now that I will satisfy him that this Government will do its utmost to give them the fullest liberty to express their disapprobation of this Government and its policy. (There was interruption from the Muslim League benches.) Dr. Sanyal will not give me more than two minutes; so let me finish.

Now, Sir, as regards our highhandedness I hope I will not be interrupted when I make this statement. We all know that the President of the All-India Muslim League, Mr. Jinnah, visited Calcutta the other day and went to Serajganj to preside over a meeting. It may not be known to the members of this House that a very big black-flag demonstration had already been organised and the Commissioner of Police——(Voices from the Muslim League benches:

You organised that.) I was not here. I arrived at 11 o'clock and Mr. Jinnah arrived at 12. The Commissioner of Police had consulted me before I left Calcutta and believe me, Sir, I told all officers with whom I came into contact that utmost efforts should be made to see that no disrespect was shown to the President of the All-India Muslim League, because I felt that it is against good breeding, against courtesy to show disrespect to a guest and because I also felt that disrespect shown to Mr. Jinnah might have a very serious repercussion on public peace and tranquillity. (Khan Bahadur MOHAMMED ALI: What about Ullapara telegram?) The telegram which I sent to my Private Secretary never referred to Mr. Jinnah. I can tell the House that if I sent a telegram for that I could have some people to bring out a black-flag demonstration. The telegram referred to did not give any date. I was told that Mr. Ashrafali and other persons belonging to the Jamiat-ul-Ulema were coming to Calcutta and that telegram referred to that. It so happened that Mr. Altaf Hossain, Director of Public Information, happened to be in my Private Secretary's office and I was told that he immediately rang up Sir Nazimuddin and persons went to the Commissioner of Police distorting facts and saying that I sent a telegram in order to organise a demonstration against Mr. Jinnah. I say here and now that I never did anything of the kind.

Now, Sir, let me touch one other point It has been said that Public Prosecutors have been sacked, that Mr. Gofran is under orders of suspension or has been dismissed, that names of pleaders belonging to the Muslim League have been removed from the panel of Public Prosecutors, and so forth I say that these statements are absolutely false. I verified them by reference to my friend the Judicial Minister and I further verified them by reference to the Legal Remembrancer, who was here. I make the statement here and now that not a hair of any Muslim pleader or of any pleader belonging to Muslim League has been touched. Nobody has been dismissed or discharged or punished in any way. That is a false propaganda which is being carried against us like other false statements in order to prejudice the people. My friend Mr. Farhad Raza Choudhury said that Public Prosecutors have been dismissed. This is absolutely false. No one has been dismissed. I have got all these files with me—not here but in my office —and I can bring them to-morrow to show that nothing of the sort has been done. I make this statement in the presence of the Hon'ble Revenue Minister and the Legal Remembrancer, who is present in this House. This is the manner in which lies are circulated against us.

Sir, I have tried to be as brief as possible because it is not even necessary for me to give a denial to the atrocious charges that have been made based on absolutely untrue and false statements. But it is necessary that the public whom we serve should also know how sorely we are tried, how keenly we feel the impediments that are put in our way and I wish to testify that although these attacks on me and my

Ministry are being made in the name of democracy and freedom and liberty they really strike at the root of the well-being of the inarticulate masses whose interests will always be our most sacred charge.

Mr. H. S. SUHRAWARDY: On a point of personal explanation——

Dr. NALINAKSHA SANYAL: Sir, the question be now put.

The motion of Mr. M. Farhad Raza Choudhury that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100, was then put and a division taken with the following result:—

AYES 41.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Aftab Ali, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Farhad Raza Chowdhury, Mr. M.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Suhrawardy, Mr. H. S.
Tamizuddin Khan, Mr.
Yusuf Ali Choudhury Mr.

NOES—121.

Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Majid Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Rauf, Khan Bahadur Maulvi S. (Howrah).
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Asimuddin Ahmed, Mr.
Azhar, Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barai Ali, Mr. Md.
Barma, Babu Promhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhaumik, Dr. Gobinda Chandra.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakraborty, Mr. Jatindra Nath.
Chakraborty, Babu Narendra Narayan.
Chaudhuri, Rai Narendra Nath.
Chippendale, Mr. J. W.
Clark, Mr. I. A.

Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Manmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Edbar, Mr. Upendranath.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Ghuznavi, Mr. A. F.
Giasuddin Ahmed, Mr.
Golam Sarwar Hosaini, Mr. Shah Syed.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Hamilton, Mr. K. A.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, The Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Henry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jenab Ali Majumdar, Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
McPherson, Mr. G. P.
Mafizuddin Ahmed Dr. (Bogra).
Mahtab, Maharajadhiraja Bahadur, Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohsin, Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C.I.E.
Moslem, Ali Mollah, Maulvi M.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukherji, Dr. H. C.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nasker, Mr. Hem Chandra.
Pottinger, Mr. G. U.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Dhananjoy.
Roy, Kshirod Chandra, Rai Bahadur.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sanaullah, Dr.
Sanyal, Mr. Sasanka Sekhar.
Sarkar, Babu Madhusudan.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Waliur Rahman, Maulvi.
Walker, Mr. J. R.
Yousuf Mirza.
Zaman, Mr. A. M. A.

The Ayes being 41 and the Noes 121, the motion was lost.

Mr. HARENDRA KUMAR SUR: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100.

Sir, there has been a persistent demand for retrenchment of expenditure with respect to departments other than the nation-building ones, Education, Agriculture, Industries, etc., both from inside and outside the legislatures for a long time past.

Two Retrenchment Committees sat and after deliberations submitted their reports one in 1923 and the other in 1932, at a considerable public expense.

But a study of the Budget figures since the introduction of Montagu-Chelmsford Reforms as well as the inauguration of the so-called Provincial Autonomy leaves no room for doubt in one's mind as to the

fact that the top-heavy character of the administration has come to stay, that the outlook of the bureaucratic regime has not undergone any vital change.

Two facts become clear from the study—

(1) The expenditure under the heads "General Administration, Police, Civil Works, Superannuation and Pensions", etc., has gradually increased from year to year in course of the last 20 years.

(2) The expenditure under the nation-building Departments varies from 17 or 18 per cent. at the lowest to 25 per cent. at the highest of the total revenue receipts.

To substantiate the first point, let me quote some figures—

General Administration.

Year.	Rs.
1921-22	1,09,35,000
1931-32	1,23,29,000
1937-38	1,49,82,000
1938-39	1,59,12,000
1939-40	1,70,12,000
1941-42 (revised estimate) ..	1,81,34,000
1942-43 (budget estimate)	1,86,60,000

From the above it will be seen that as between 1921-22 and 1942-43, the expenditure on General Administration has gone up by Rs. 77,25,000.

Now, Sir, let me quote some figures regarding the expenditure on "Police"—

Police.

Year.	Rs.
1923-24	1,76,92,000
1933-34	2,22,72,000
1939-40	2,28,28,000
1940-41	2,34,50,000
1941-42 (revised estimate) ...	2,50,73,000
1942-43 (budget estimate) ...	2,48,62,000

Thus the increase under this head from 1923-24 to 1941-42 has been as much as Rs. 73,81,000, and this holds good with regard to the expenditure under other similar heads.

After the inauguration of the present reforms, in the year 1937-38 the total revenue receipts were Rs. 13,00,85,000 and the expenditure on *Education, Medical and other nation-building Departments* was Rs. 2,53,11,000, which came to about 17 or 18 per cent. of the total revenue receipts. In the year 1938-39, the total revenue receipts were Rs. 12,76,81,000 and the expenditure on nation-building departments was Rs. 3,07,52,000, the percentage being about 25 per cent. In 1939-40 the total revenue receipts were Rs. 14,31,66,000 and the expenditure on nation-building departments was Rs. 3,15,86,000, about 22 per cent. of the total revenue receipts.

Now, Sir, the administration as has been carried on so long may be compared to the management of the funds of a joint family, the management alone appropriating the major portion about 75 per cent. of the family funds and the members starving as a consequence thereof. The Government exists for the few fortunate highly-paid officials and their henchmen—certainly not for the people in general who have to bear the burden.

The members of this House particularly those who represent the masses have held out big promises to their electorates. But, Sir, if this state of things continues where will they get the money required to give effect to their programme? By taxation? Well, measures of taxation have been resorted to and on every occasion the Government gave assurance that the money to be raised would be utilised for the nation-building departments, only to be dishonoured subsequently.

Only very recently three new taxation measures, viz. The Bengal Finance (Sales Tax) Act, 1941, the Bengal Motor Spirit Sales Taxation Act, 1941, and the Bengal Raw Jute Taxation Act were passed and assurance given as usual and the proceeds of these taxes are anticipated to be Rs. 1,94,74,000, but the fact remains that the assurance has been dishonoured.

Having regard to the limitations of the Government of India Act and the commitments under the present circumstances of the previous Governments, retrenchment of expenditure under these heads is the only practical proposition if you want more funds for the nation-building departments. The present Ministry should adopt the most salutary principle that the nation-building departments should absorb the major portion of the total revenue and that the other departments should under no circumstances absorb more than a fixed percentage say 33⅓ per cent. or at the highest 40 per cent. of the total revenue receipts.

Sir, in the year 1921-22 the expenditure under the head "Superannuation and Pensions" stood at Rs. 44,07,000; in 1931-32 it

was Rs. 49,48,000. In 1939-40 it rose to Rs. 1,04,04,000 and in 1940-41 it rose further to Rs. 1,07,53,000. According to the revised estimate for 1941-42 it was Rs. 1,11,92,000 and the budget estimate for the coming year is Rs. 1,16,42,000.

From the figures I have given, I submit, it is clear that this Government exists not for the people in general. In order to have more funds for the nation-building Departments, the only effective practical step would be that the pay of the highly-paid officials should be revised so as to make it commensurate with the income of the Government. You must cut the coat according to the cloth. The maximum pay of an officer of Government should not exceed Rs. 500 per mensem. I am strongly of opinion that there is no other method except a drastic cut in the pay of highly-paid officers and expenditure under heads other than nation-building departments.

With these few words, I commend my motion to the acceptance of the House.

Adjournment.

It being 11-30 a.m.—

The House was adjourned till 8-30 a.m. on Friday, the 13th March, 1942, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 13th March, 1942, at 8-30 a.m.

Present:

Mr. Deputy Speaker (MR. SYED JALALUDDIN HASHEMY) in the Chair, 7 Hon'ble Ministers and 210 members.

STARRED QUESTIONS

(to which oral answers were given)

Appointment of a temporary Assistant Analyst in the Public Health Laboratory.

*147. **Dr. SANAULLAH:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether it is a fact—

(*i*) that the post of the Assistant Analyst, Public Health, has been lying vacant for some time past;

(*ii*) that the said post is reserved for the Muslims; and

(*iii*) that a non-Muslim is officiating in that post?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of appointing a suitable Muslim candidate to the post?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu): (*a*) Owing to the resignation of its Muslim incumbent a temporary post of Assistant Analyst in the Public Health Laboratory fell vacant and the Communal Ratio Officer having advised that the post should be filled by a non-Muslim other than a Scheduled Caste, as it was the second vacancy in the cadre, the Demonstrator of the Laboratory who is a caste Hindu has been appointed to officiate in the post.

(*b*) Does not arise.

Mr. ABUL HOSAIN AHMED: Will the Hon'ble Minister be pleased to state whether the appointment of the Muslim incumbent exceeded the communal ratio or not?

The Hon'ble Mr. SANTOSH KUMAR BASU: I could not quite follow the question, I am sorry, but it appears that the Communal Ratio Officer has given his advice in this case and that advice has been followed.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether the advice of the Communal Ratio Officer was obtained during the régime of the present Ministry?

The Hon'ble Mr. SANTOSH KUMAR BASU: On many occasions his recommendations have come up for consideration.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state whether there is any other Muslim in the same cadre?

The Hon'ble Mr. SANTOSH KUMAR BASU: I will look into the matter.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether the number of Muslim officers in the cadre has exceeded the communal ratio?

The Hon'ble Mr. SANTOSH KUMAR BASU: No.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether this appointment was made excluding the cases of other deserving Muslims?

The Hon'ble Mr. SANTOSH KUMAR BASU: No deserving Muslim has been excluded.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether the post was advertised and whether deserving Muslims came forward or not?

The Hon'ble Mr. SANTOSH KUMAR BASU: I think it is open to all Muslims, but as to whether any advertisement was issued or not I shall look into. I want notice.

Promotions of Junior Civil Service officers to Bengal Civil Service.

*148. **Mr. SHAHEDALI:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether under the existing rules Sub-Deputy Collectors putting in more than 20 years' service, are not eligible for promotion to the Bengal Civil Service?

(*b*) If so, is the Hon'ble Minister aware that there is a feeling amongst the senior members of the Bengal Junior Civil Service over this question?

(*c*) Do the Government contemplate the revision of the said rule in the matter?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) No.

(*b*) and (*c*) Do not arise.

Mr. SHAHEDALI: With refrence to answer (*a*), will the Hon'ble Minister be pleased to state whether it is the practice of the Government of Bengal not to promote Sub-Deputy Collectors who have put in 20 years of service to the Bengal Civil Service?

The Hon'ble Mr. A. K. FAZLUL HUQ: There is no such rule. But I may inform the House that what happened with regard to these promotions so far is this: Under the distinct rule, Rule 5 (2) (*b*) of the Provincial Service Recruitment Rules, a Sub-Deputy Collector is entitled to promotion to the Bengal Civil Service without restriction of age, provided he is recommended for promotion before the age of 40. There was a proposal to modify the rule to the effect that only officers who have rendered 15 to 20 years of service would be eligible for promotion to the Bengal Civil Service. This proposal has since been dropped and the service concerned has been informed accordingly. So there is no such rule now.

Parking of motor cars near cinema.

*149. **Khan Bahadur MOHAMMED ALI:** (*a*) With reference to the reply given to clause (*b*) of unstarred question No. 5 on the 16th February, 1942, will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) what was the nature of the inquiry;

(*ii*) by whom it was conducted;

(*iii*) whether any witness was examined; and

(*iv*) whether the complainant or the occupant of the car was examined?

(*b*) If the answers to (*a*) (*iii*) and (*iv*) are in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Will the Hon'ble Minister be pleased to lay on the Table a copy of the report of the enquiry?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Departmental.

(*ii*) The Commissioner of Police, Calcutta.

(*iii*) Yes.

(*iv*) No.

(*b*) Does not arise as regards (*a*) (*iii*).

As regards (*a*) (*iv*), the complainant had already stated his case in a written representation.

(*c*) I do not consider that this is expedient.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if the Commissioner of Police personally went to the spot or had the enquiry made by another subordinate officer?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot say.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if the witnesses that were examined were only sergeants and constables or if there were outsiders amongst them?

The Hon'ble Mr. A. K. FAZLUL HUQ: This case arises out of an incident with which the honourable member himself is concerned, and he is aware of this. However, if he writes to me confidentially, I will state the whole facts, but I am not in a position now to deal with it as I have not got the file with me.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to consider the desirability of personally enquiring into the matter and ascertaining whether there is any discrimination in the parking of motor-cars?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, as I have already said, if the honourable member would very kindly write to me confidentially, I will look into the matter personally.

Acquisition of land for the proposed headquarter station of Noakhali.

*150. **Mr. SYED ABDUL MAJID:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware that a large number of dwelling homesteads near the Chowmuhuni railway station and on the south of the Begamganj-Chowmuhuni Road leading from the east to the west are being acquired for the proposed headquarter station of Noakhali?

(*b*) Will the Hon'ble Minister be pleased to state whether the original plan for acquisition of land for the proposed headquarter included those homesteads and also the lands on the east of the *khal* which is passing north to south by the west of the Begamganj High English School?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason for shifting the site of the headquarter from the east to the west and bringing it to the close proximity of the railway line?

(*d*) Is the Hon'ble Minister aware that there are enough arable lands on the west of the *khal* which can be acquired for the proposed headquarter?

(*e*) Will the Hon'ble Minister be pleased to state whether the work of construction of the town will commence this year?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) There are 47 homesteads which are under acquisition.

(*b*) Yes.

(*c*) Does not arise as there has been no shifting of site from the original plan.

(*d*) Yes. There is some arable land which is also under acquisition.

(*e*) No.

Mr. SYED ABDUL MAJID: In view of the reply to question (*c*), will the Hon'ble Minister be pleased to state what is the reason for not commencing this work this year?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: War conditions.

Mr. SYED ABDUL MAJID: Will the Hon'ble Minister please consider the desirability of postponing the acquisition of homestead lands?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: A large sum of money was voted for the purpose of acquisition this year, but since the financial year is almost coming to an end, probably the proceedings will not be completed. So far as this matter is concerned, I understand there is a grievance on the part of the Noakhali members, and what I propose to do is that if the Noakhali members would be good enough to see me, I shall consider the matter with their advice. I have got the maps and plans here, but since I am myself not familiar with the locality I find it difficult to come to a conclusion. So, we all of us shall consider the matter together.

Mr. H. S. SUHRAWARDY: Is the Hon'ble Minister aware that several representations have been received from the residents of that locality requesting Government not to acquire homestead lands but to acquire arable lands instead?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Certain representations have been received by the Government, but not this Government but the Government of which my friend was a member.

Mr. HARENDRA KUMAR SUR: Will the Hon'ble Minister please state whether the work of construction will commence in the next financial year?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I could not say, and as I said just now I should like to consult the Noakhali members about this.

Mr. H. S. SUHRAWARDY: Will the Hon'ble Minister consider the desirability of postpoing acquisition until such time as he considers the proposal?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: I shall certainly consider the desirability of postponing acquisition, if possible.

Detention of security prisoners.

***151. Mr. JNANENDRA CHANDRA MAJUMDAR:** *(a)* Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the security prisoners detained under section 26 of the Defence of India Rules in Hijli Special Jail and other jails, have been so detained at the instance of the Bengal Government?

(*b*) If so, is the Hon'ble Minister considering the desirability of releasing them forthwith or putting them under trial in a Law Court?

(*c*) If not, will he be pleased to state the reasons thereof?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) and (*c*) The whole question is under consideration at present, and I hope to be able to make a statement shortly.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Grant of allowance to the families of security prisoners.

70. Mr. PRATUL CHANDRA CANGULI: (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that the security prisoners, namely,—

(1) Sreejut Jamini Mohan Pal,

(2) Sreejut Makhan Lal Dutt,

(3) Sreejut Birendra Chandra Chatterjee,

(4) Dr. Saral Kumar Sen Gupta,

(5) Sreejut Shyama Charan Biswas,

(6) Sreejut Birendra Nath Bose,

(7) Sreejut Charu Chandra Roy,

(8) Sreejut Tarakeswar Bhattacharji, and

(9) Sreejut Nalini Mohan Das Gupta

have not been granted any allowance for the maintenance of their families?

(*b*) Is the Hon'ble Minister aware—

(*i*) that these security prisoners were the only earning members of their families; and

(*ii*) that their families are now in a starving condition?

(*c*) Is the Hon'ble Minister considering the desirability of granting any allowance to their families?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) In respect of Nos. (8) and (9), no.

In respect of others, I refer the honourable member to the question already answered by me on the 21st February, 1942.

(*b*) (*i*) No, except Babu Birendra Chandra Chatterjee.

(*ii*) No.

(*c*) I refer the honourable member to the question already answered by me on the 21st February, 1942.

Provision for examination fees and for purchasing text-books for students detained as security prisoners.

71. Mr. PRATUL CHANDRA GANGULY: (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that a large number of students have been arrested and detained as security prisoners in the Hijli Special Jail; and

(*ii*) that many of those students want to appear in the ensuing University Examinations?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any provision has been made for their examination fees and for purchasing text-books?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*d*) Do the Government contemplate making provisions in this respect?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) There are a number of students among the security prisoners.

(*ii*) Yes.

(*b*) No.

(*c*) and (*d*) In view of the many urgent demands on the Provincial revenues in the present conditions, I am inclined to think that Government should not incur financial liability for the purposes mentioned, but I will have the matter examined.

Mr. ATUL CHANDRA SEN: With reference to answer (*c*) and (*d*), where the Hon'ble Minister expressed the opinion that the Government should not incur financial liability for the purposes mentioned, will the Hon'ble Minister be pleased to state the total cost Government are likely to incur in order to meet the expenses mentioned?

The Hon'ble Mr. A. K. FAZLUL HUQ: I must admit that the cost is not very heavy. I am, therefore, prepared to consider the question if some relief can be given. I admit the cost is not heavy—only Rs. 10, 15 or 20.

Dr. NALINAKSHA SANYAL: With reference to answer (*b*) "No," is it the intention of Government to keep these young men without facilities for education and examination?

The Hon'ble Mr. A. K. FAZLUL HUQ: Personally I entirely agree with the honourable member.

Dr. NALINAKSHA SANYAL: Sir, hitherto the practice has been that personal allowances were given so that out of these personal allowances security prisoners could purchase such text-books and pay examination fees. These allowances having been stopped, may we enquire whether it is the intention of the present Government not to give proper facilities to these young men for prosecuting their studies and for appearing at examinations?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have said "No" on advice, but I entirely agree with the honourable member that the question should be examined because this attitude is really harsh on the poor prisoners, and I promise if I can I shall do something to give them some relief.

War subscription realised from Bengal districts and the method of collecting them.

72. Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) total amount of subscription realised, district by district, up to date towards war fund; and

(*b*) who are collecting the subscription?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) A statement is laid on the Table.

(*b*) Officials and non-officials.

Statement referred to in reply to clause (a) of unstarred question No. 72.

Bengal War Purposes Fund and East India Fund.

Analysis of contributions.

The following is a statement of the Analysis of Contributions as at January 29, 1942:—

Districts.	Bengal War Purposes Fund.	East India Fund.	Total. To date.	Total. Period
	Rs.	Rs.	Rs.	Rs.
I—Presidency Division—				
1. 24-Parganas ..	99,204	1,11,910	2,11,114	17,055
2. Jessore . ..	75,921	683	76,604	1,900
3. Khulna .. .	53,707	976	54,683	3,142
4. Murshidabad ..	84,445	1,483	85,928	2,570
5. Nadia	87,552	2,860	90,412	2,127
Total ..	4,00,829	1,17,912	5,18,741	26,794
II—Burdwan Division—				
6. Bankura	34,490	45	34,535	..
7. Birbhum	25,119	133	25,252	3,200
8. Burdwan .. .	2,83,832	39,874	3,23,706	11,547
9. Hooghly .. .	65,958	11,743	77,701	842
10. Howrah	40,918	74,168	1,15,086	1,150
11. Midnapore .. .	1,20,394	5,002	1,25,396	12,659
Total ..	5,70,711	1,30,965	7,01,676	29,398
III—Chittagong Division—				
12. Chittagong	1,19,742	49,374	1,69,116	2,551
13. Chittagong Hill Tracts ..	9,123	627	9,750	227
14. Noakhali	74,398	208	74,606	..
15. Tippera	1,73,971	2,502	1,76,473	127
Total ..	3,77,234	52,711	4,29,945	2,905
IV—Dacca Division—				
16. Bakarganj	14,166	99,787	1,13,953	1,742
17. Dacca	1,57,491	85,937	2,43,428	6,732
18. Faridpur	95,421	1,795	97,216	22,518
19. Mymensingh ..	1,58,079	5,134	1,63,213	3,618
Total ..	4,25,157	1,92,653	6,17,810	34,610

Districts.	Bengal War Purposes Fund.	East India Fund.	Total. To date.	Total. Period.
	Rs.	Rs.	Rs.	Rs.
V—Rajshahi Division—				
20. Bogra	10,750	250	11,000	..
21. Darjeeling	95,378	78,590	1,73,968	989
22. Dinajpur	99,754	246	1,00,000	1,970
23. Jalpaiguri	67,393	1,41,814	2,09,207	12,746
24. Malda	42,453	1,522	43,975	..
25. Pabna	41,252	953	42,205	446
26. Rajshahi	1,14,215	4,881	1,19,096	1,055
27. Rangpur	77,330	1,251	78,581	..
Total ..	5,48,525	2,29,507	7,78,032	17,206

Mr. NISHITHA NATH KUNDU: With reference to my question (*b*), the answer given is "officials and non-officials." Will the Hon'ble Minister be pleased to state who are these officials—whether police officers, special officers of Debt Settlement Boards and circle officers are also making collection?

The Hon'ble Mr. A. K. FAZLUL HUQ: As far as I can find, police officers have not been employed, but officers of the Bengal Junior Civil Service and the Bengal Civil Service, debt settlement officers and even jute restriction officers have been asked to help collection.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state the methods of collection?

The Hon'ble Mr. A. K. FAZLUL HUQ: Persuasion, Sir, but unfortunately we have received complaints that some kind of coercion has also been used, but I do not know if that has been substituted, but it is persuasion mostly.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister please consider the desirability of issuing a circular to the district officers indicating clearly that the Government policy is that no coercion or extortion should be applied in the matter of this collection and that the matter should be left entirely to the voluntariness of the contributors?

The Hon'ble Mr. A. K. FAZLUL HUQ: Circulars to this effect have been issued from time to time.

Sj. NARENDRA NATH DAS GUPTA: Is the Hon'ble Minister aware that in the Bakarganj district Union Board Presidents are collecting war subscriptions to the extent of one-fourth of the tax paid by the villagers?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware of it, and I find nothing in the papers before me.

Babu MADHUSUDAN SARKER: Will the Hon'ble Minister be pleased to state whether it is a fact that different persons in different capacities have been realising from the same person war contributions and thus the same person is put to much difficulty in payment?

The Hon'ble Mr. A. K. FAZLUL HUQ: We have received no complaint of that kind.

Mr. SASANKA SEKHAR SANYAL: In view of the Hon'ble Minister's reply that circulars have been issued from time to time, will the Hon'ble Minister consider the desirability of issuing a fresh circular by the new Government, specially in view of the fact that complaints have been received from time to time that various objectionable methods were applied in making the collection?

The Hon'ble Mr. A. K. FAZLUL HUQ: Very well.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if it will be possible for the Hon'ble Ministers to ask the officials not to take part in the collection?

The Hon'ble Mr. A. K. FAZLUL HUQ: As far as I can see from the papers, the practice is for the officials not actually to collect but to help the non-officials in this work.

Mr. SASANKA SEKHAR SANYAL: Does the Hon'ble Minister consider the desirability of drawing up a scheme asking the District Board to spend the collections made in a particular district towards the organisation of emergency war efforts in the district itself?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is a matter which requires consideration. I shall consult my colleagues and if found practicable, we shall do so.

Dr. SURESH CHANDRA BANERJEE: Will the Hon'ble Minister be pleased to state if he is aware that in the industrial area Mill Managers are threatening the labourers that they will lose their job if they do not pay subscription?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware, but if the honourable member gives me particulars, I shall enquire.

Sj. MANINDRA BHUSAN SINHA: Does the Hon'ble Minister consider the desirability of seeing that no war collection is made in those districts, particularly in the districts of Bankura and Birbhum where distress is prevailing?

The Hon'ble Mr. A. K. FAZLUL HUQ: We cannot give any definite instruction. It must rest on the discretion of the officers themselves.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister enlighten us if he can take special steps which will ensure only voluntary collection and not enforced collection?

The Hon'ble Mr. A. K. FAZLUL HUQ: I think the warnings that have been given from time to time ought to deter the officers from having recourse to force.

Sj. NARENDRA NATH DAS GUPTA: Is the Hon'ble Minister aware that the Subdivisional Officer, Pirojpur subdivision, has circulated notices asking the Union Board Presidents to realise war subscriptions at the rate of annas 4 in the rupee from the villagers?

The Hon'ble Mr. A. K. FAZLUL HUQ: No, Sir. I am not aware of it.

Bengal Finance (Amendment) Bill, 1941.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: Sir, I beg to present the Report of the Select Committee on the Bengal Finance (Amendment) Bill, 1941.

Point of order.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. I want to know the fate of my motion No. 189 to which reference was made.

Mr. DEPUTY SPEAKER: With regard to your motion, Dr. Sanyal, I have admitted it after consultation with Mr. Speaker. You will have to divide your motion into two parts. The demand of such and such be reduced by Rs. 100 to raise a discussion about the failure of Government to take necessary legal steps to reduce the salaries of Ministers—this is the first part, and (*b*) and (*c*) another

part. I have also made a slight modification with regard to the first part, I mean (*a*), namely, failure of Government to introduce necessary legislation to reduce the salaries of Ministers. I have admitted that portion.

Dr. NALINAKSHA SANYAL: All right. Thank you, Sir.

DEMAND FOR GRANT.

25—General Administration—General Administration.

Mr. DEPUTY SPEAKER: Hon'ble Mr. Fazlul Huq, are you going to give any reply to item No. 2, namely, the motion moved by Mr. Harendra Kumar Sur?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, Sir, I shall do so in a few words.

Sir, I do not wish to take up the time of the House, but I want to make one or two general observations. It is true that the cost of administration has gone up and shows a tendency to increase. But at the present moment the circumstances are somewhat extraordinary. Many items of expenditure appear in the Budget, because we have to undertake certain duties at the instance of the Government of India. In many cases the Government of India shared the cost with the Government of Bengal, and it was not left to us to say anything except making suggestions towards war efforts. As regards General Administration it is true, as I have said, that the expenditure shows a tendency to increase. If our friends frame a scheme of retrenchment showing in detail what, in their opinion, should be the line of retrenchment, this Government will be only too glad to give effect to these suggestions, so that the next Budget may appear to be more satisfactory than the Budgets we have presented to the House in the past.

The motion of Mr. Harendra Kumar Sur that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100, was then put and lost.

Khan Bahadur MOHAMMED ALI: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100.

Sir, my object in moving this token cut motion is to enter my most emphatic protest against the highhanded manner in which the Defence of India Act is being grossly misused by the local officers of Government.

Sir, when the Defence of India Act was framed the Government of India gave a solemn undertaking that the provisions of this law would be applied only to throttle revolutionary and subversive activities of persons and organisations that were hostile to the war aims and efforts of Government. And that the legitimate activities of political organisations would in no way be hampered or restricted. It is, therefore, surprising that the application of the provisions of the Act in this province completely belie the solemn assurance given to the country by the Central Government. And the powers vested in the local Government and their executive officers are being chiefly utilised in stifling and gagging expressions of public opinion against the personnel and composition of the Ministry. Under all recognised laws of civilised Government expressions of opinion and criticisms against the policy, programme and personnel of the Ministry is lawful and legitimate. But here in Bengal Mr. Fazlul Huq thinks otherwise and, therefore, this liberty and freedom is denied to the people.

Sir, in this connection what is more shocking is that even members of the Legislature are debarred from addressing their constituents and permission to hold meetings are withheld unless undertaking is given to the District Magistrate that no criticism would be levelled against the policy, or personnel of the present Ministry. This, I submit, Sir, is a direct encroachment on not only the civil liberty of the people but on the fundamental parliamentary privilege of members of the Legislature.

Sir, we are told that we are passing through perilous times and, therefore, freedom and liberty of the people must be curtailed. Sir, the war situation has been a great boon to Mr. Fazlul Huq and his Ministry. This has not only given them extraordinary autocratic powers but has at the same time served to cover a multitude of their sins. The plea that the war is at our doors affords them an opportunity of suppressing all legitimate activities of persons and organisations now in opposition to him and his party. Sir, we, mere mortals, cannot see any reason or justification for such ruthless suppression of freedom of thought and speech at a time when we are supposed to be fighting for democracy and the freedom which we all hold so dear. Indians, by nature and temperament, are freedom-loving people and they would gladly sell their lives for the complete attainment and retention of such freedom. Therefore, the policy of repression followed by the Government of Bengal is bound to have a serious repercussion on the war efforts of Government as that policy is inconsistent with the Allied war aims. But Mr. Fazlul Huq loves himself more than he loves freedom. And, therefore, he, in his profound wisdom, believes that the only inherent right the people of Bengal have is to worship him as their lord and master. And any indication or expression to the contrary is illegitimate, illegal and unlawful which must

be ruthlessly brought within the mischief of the penal provisions of the Defence of India Act or the rules promulgated thereunder. In other words, the Defence of India Act must be interpreted to mean Defence of Fazlul Huq Act. And, Sir, it is exactly in accordance with and in conformity to this principle that the provisions of the Act are being applied by the local officers of Government. Sir, these are adopting Nazi and Fascistic methods with vengeance.

My friend, Mr. Farhad Reza Chowdhury, and Mr. H. S. Suhrawardy quoted at length instances of the gross misuse of the Act by the ambitious District Magistrates of Noakhali and Tippera. But there is one instance of inhuman cruelty, to which I now want to make a particular reference. At Barisal, the home district of Mr. Fazlul Huq, about 50 Muslim students were arrested for a demonstration against him and 29 of them were confined in a *hajat* which was meant to accomodate only 4. Sir, we have all heard of the mythical Black Hole tragedy invented with the sole purpose of tarring the reputation of Nawab Sirajuddowla. But here in the same province, Mr. Fazlul Huq, successor in office to, and a prototype of Mir Jafar, was responsible for enacting in real life what was only legendary and fictional. Sir, though Mr. Fazlul Huq is fighting against Axis war aims, he has at the same time no hesitation in borrowing Gestapo methods in trying to subjugate the people of this province to his will and domination.

Sir, the *volte face* of Dr. Syamaprasad Mookerjee is more surprising than the somersault of the well-known political acrobat, Mr. Fazlul Huq. Dr. Mookerjee, once the redoubtable champion of civil liberty, is now supremely indifferent to the policy of repression which his newfound colleague and his Government is pursuing against persons who dispute their right to represent the people of the province. And the chief actor of the Bhagalpur drama, who himself defied law and order in a neighbouring province and who stood so heroically by the right of the people to hold political meetings, is now a mere passive looker-on when similar claims are made by other organisations and which is unjustly denied to them by his co-Axis partner. As for the Forward Bloc members in the Cabinet, forming the third end of the unholy Axis partnership, they have now with their elevation to the Treasury Bench become transformed into what may be described as dummy show bottles of a Bureaucratic Pharmacy. And their grandiloquent speeches of the past from the Opposition benches in defence of the civil liberty of the people have lost all meaning and significance so far as they are concerned.

Sir, as long as Bengal's Axis partnership Ministry continues in office with a motley crowd of self-seeking supporters, kept in tow with a few lollipops of parliamentary confectionery, freedom of thought, speech and action is likely to be scotched and buried in the soils of

the one province where it is valued dearer than life itself. Well may the members of the Progressive Coalition Party shout, "Down with Freedom! Long live Mr. Fazlul Huq!"

Mr. DEPUTY SPEAKER: I shall first of all ask Dr. Sanyal to move his cut motion, and then I shall consider what motions are to be moved and whether a general discussion will be necessary or not.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that the demand of Rs. 1,27,42,000 under the head "25—General Administration—General Administration" be reduced by Rs. 100. My object in moving the motion is to raise a discussion on the failure of Government to take necessary legal steps to amend the Government of India Act with a view to reduce the Ministers' salaries.

I beg further to move that the demand of Rs. 1,27,42,000 under the head "25—General Administration—General Administration" be reduced by Rs. 100 because I also want to raise a discussion about the additional extravagant provision for Parliamentary Secretaries and also the extravagant provision for travelling allowances under the head "Ministers".

I hardly need any long speech to convince the House of the increasing expenditure provided under the head "Ministers" during the last few years. It is noticed from a study of the figures of actuals and estimates of budgets during the last five years of provincial autonomy that from 1937-38 to 1942-43 budget the total expenditure on General Administration has gone up from Rs. 1,42 lakhs to Rs. 1,63 lakhs, an increase of more than Rs. 21 lakhs. Under the head "Ministers" in 1937-38 the total expenditure was Rs. 3,97,000 and in 1942-43 budget the sum provided is Rs. 5,19,000 as against Rs. 3,97,000. Out of this the voted portion which relates to certain allowances and the like as also which relates to the additional expenditure on account of Parliamentary Secretaries and the Private Secretary to the Hon'ble Chief Minister which are not charged on the revenues of the province, in 1937-38 was Rs. 56,000 only and it has gone up to Rs. 1,63,000 in 1942-43. With regard to the salaries of Ministers, it is true that the actual amount provided in 1942-43 budget for 9 Ministers is Rs. 2,76,000 as against Rs. 3,12,000 in 1937-38——

Mr. SASANKA SEKHAR SANYAL: No number is given.

Dr. NALINAKSHA SANYAL: I believe Mr. Sasanka Sekhar Sanyal would do well to learn simple mathematics. From the figures we can find out the number automatically. The Chief Minister gets Rs. 3,000 per mensem and for 12 months he will get Rs. 36,000. It leaves a balance of Rs. 2,40,000, which if divided by Rs. 30,000

(Rs. 2,500, the salary of a Minister multiplied by twelve) and give the number of eight other Ministers. If my friends of the Progressive Coalition Party are still entertaining the fond hope that there is a possibility of increasing the number of Ministers on the present scale of salaries, let them satisfy themselves from the figures that there is no such chance, because unless there is a supplementary demand they cannot have more Ministers. I recognise that the present Ministry has kept down the total amount of money provided on account of Ministers' salaries only but, Sir, the party I represent and a section of that party that to-day has joined the Ministry has all along pressed that the Ministers' salaries in this province must not be very much inconsistent with the general policy of the Congress and the general economic condition of the country. We have pressed that the salary of a Minister must not exceed a sum of Rs. 500 with of course proper allowances provided for housing, motor-car and the like.

Mr. NISHITHA NATH KUNDU: How much did the Congress Ministers draw in the Congress provinces?

Dr. NALINAKSHA SANYAL: The Congress Ministers have not drawn anything more than Rs. 500 on account of salary. Don't change your colours so soon.

Mr. NISHITHA NATH KUNDU: I am not changing my colours. I want you to give out facts.

Dr. NALINAKSHA SANYAL: I am stating only a fact when I say that the Ministers of the Congress Provinces did never draw more than Rs. 500 per mensem as salary.

Dr. ABDUL MOTALEB MALIK: On a point of order, Sir. Will you please see that there is no interruption made?

Mr. DEPUTY SPEAKER: I hope there will be no interruption from any side.

Dr. NALINAKSHA SANYAL: I submit that we have on this side pressed that the salary of a Minister should be only Rs. 500, and I also want to place before the House the considered resolution of the Krishak Proja Party as well as certain other progressive groups which are now allied with the Progressive Coalition Party that their Ministers would not accept anything more than Rs. 1,000 only. We do not know what arrangements have been made so far by the present Ministry to implement those promises and assurances held out to the country. I am one of those who feel that in politics there should be as much cleanliness as possible——

Mr. SURENDRA NATH BISWAS: Practise it yourself.

Dr. NALINAKSHA SANYAL: Mr. Biswas knows very well how clean I am compared to himself.

And we cannot hold out false hopes. I submit I shall be completely at one with the Progressive Coalition Party if they come forward with a definite plan and place it before this House or outside this House to discuss this matter as to how far it is possible, while maintaining the dignity and character of the Coalition that they have now formed, to reduce the salaries of the Ministers with a view to giving a lead to the country having actually a new era promulgated. Hitherto whenever we raised any question, the reply was that it was not the present Ministry's policy but it was somebody else's policy. Here to-day is an instance in which the present Ministry cannot shirk its own responsibility. They, from the very first day they took office, could have taken a different view in the matter and given a new lead to the country. If I am allowed to talk of something which is not ordinarily permitted here on party grounds, I may say that it is within my knowledge that our esteemed countryman, Mr. Sarat Chandra Bose, who is under detention now, gave a definite instruction to his party men not to support any other measure than a measure of substantial reduction in the salaries of Ministers which should be fixed at Rs. 1,000 per month. I should like to know what the Forward Block members have been doing so far. Are they keeping their promise given to their leader and are they following the instructions given to them by their leader? The country demands a straight answer to that.

Sir, I will not take up any more time of the House on the question of Ministers' salaries, but I find there are additional provisions for remuneration to Parliamentary Secretaries over and above what the previous Government had provided for. We had an announcement in the Press that there would be seventeen Whips—a ridiculously large number for a small House like this—and seventeen Whips were appointed for the time being without any salary being provided for them. I now find, however, that by the back-door an additional amount of Rs. 48,000 has been provided for Parliamentary Secretaries over and above what the previous Government had provided for. The total amount for Parliamentary Secretaries this year is Rs. 76,800 as against Rs. 28,200 in the Revised Budget of 1941-42. We fail to understand why it has been necessary for this Government to increase the expenditure on account of Parliamentary Secretaryship in this fashion. We are entirely opposed to it, and we submit we shall not feel happy and the country will not excuse the Progressive Coalition Party if they in this manner try to distribute patronage for maintaining themselves in power.

I shall now come, Sir, to the third item of my motion, namely, the question of travelling allowance. In 1937-38, the total under "Travelling allowance" provided was Rs. 51,800: now, this time, that is, for the year 1942-43, we find that Rs. 1,05,000 has been provided out of which Rs. 25,000 is voted and Rs. 80,000 charged. It will be found from section 78 of the Government of India Act that this amount of Rs. 80,000 which is charged is provided for the Ministers' travelling allowances. The Ministers' travelling allowances for the year 1937-38 amounted to Rs. 44,000 only, but in 1942-43 it is proposed to be Rs. 80,000. I do not know what has induced the present Ministers to have such a huge amount provided for their own travelling. (A voice: "For a smaller number of 'Ministers'.") A friend of mine has rightly pointed out that this increased travelling allowance has been provided in spite of the fact that the number of Ministers has been much less than before. I do not know how the Ministers will function as Ministers and carry out their day-to-day work in the Secretariat if they remain for the greater part of the year out on tour probably for the purpose of establishing communal harmony in Eastern Bengal or probably for the present war emergency, although some of us apprehend that these tours are more for party purposes than for any real good to the country. I submit that the country demands an explanation as to why this additional amount is provided for, and we hope the Ministry will be able to justify this additional expediture and will give a definite assurance that nothing out of this amount, especially out of the additional amount over and above what had been originally provided for, would be spent for party purposes or personal propaganda. With these words, Sir, I move my motion.

Mr. DEPUTY SPEAKER: As the House is aware, the last three motions were moved and speeches have been delivered by the movers, but it has been decided that the other motions tabled will be moved formally only without any speech. I will now ask the honourable members concerned to move their motions, and thereafter I will allow a general debate on all of them, after which the Home Minister will make a joint reply dealing with all the motions in one speech. I hope the Hon'ble the Leader of the Opposition has no objection to this procedure.

Khwaja Sir NAZIMUDDIN: We agree to the suggestion you have just now made, Sir.

Mr. DEPUTY SPEAKER: I think Government also agrees to it

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, Sir.

Maulvi ABDUL LATIF BISWAS: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. My intention is to raise a discussion on the attitude of Government regarding the detention of Mr. Sarat Chandra Bose, M.L.A.

Mr. ABDUL KARIM: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. My intention is to discuss the policy of Government for incurring expenditure on communal harmony.

Maulvi MD. ABDUR RASHEED: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. The object of my motion is to raise a discussion about the activities of the Private Secretary to the Hon'ble Chief Minister contrary to the Government Servants' Conduct Rules.

Khan Bahadur MOHAMMED ALI: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. The object of the motion is to raise a discussion on the use of the Publicity Department for the personal propaganda of the Chief Minister.

Mr. A. M. ABDUL HAMID: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 72,000. The object of the motion is to raise a discussion on the appointment of Parliamentary Secretaries.

Rai Sahib ANUKUL CHANDRA DAS: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. The object of the motion is to raise a discussion about revision of the rules 7(*1*) and (*9*) with the proviso thereto of the Bengal Services Recruitment (Communal Ratio) Rules, 1940, as applicable to the members of the Scheduled Castes.

Mr. FAZLUR RAHMAN: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. The object of the motion is to raise a discussion on the improper transfer of the Muslim executive officers.

Mr. SIBNATH BANERJEE: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. The object of the motion is to raise a discussion on the necessity of changing the rules of election to municipalities and local bodies. Changes of rules contemplated are voting by symbol, extending the right of franchise and leaving the right of appointing election officers and other relevant technical matters to the district authorities.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. The object of the motion is to raise a discussion about the failure of Government to revise the communal ratio in the Services Rules which lay down that in case suitable candidates belonging to a particular community are not forthcoming from amongst Bengalees the recruitment may be thrown open to non-Bengalees.

I also beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. The object of the motion is to raise a discussion about the inefficient administration of the Legislative Assembly Department and the urgency of appointing a Committee of Enquiry to investigate into the causes of such inefficiency and to devise remedies for the same.

Sir, I reserve my observations for a later stage, if time permits.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. The object of the motion is to raise a discussion about the policy in not abolishing the system of nomination in the local bodies as well as in the union boards and by not introducing the secret system of ballot box in the union boards.

Sir, I also beg to move that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100. The object of the motion is to raise a discussion about the failure of Government in making the provision for the expenses of the village chaukidars as recommended by the Chaukidari Enquiry Committee.

Mr. DEPUTY SPEAKER: Mr. Sibnath Banerjee.

Mr. SIBNATH BANERJEE: Mr. Deputy Speaker, Sir, I rise to speak on two motions—one is to support the motion of Khan Bahadur Mohammed Ali regarding misapplication of the Defence of India Rules

and the other is my own motion. With regard to the first I sympathise more with the present Ministers than I rise to condemn them, because we know that since Mr. Sarat Chandra Bose, who had a big part to play in overthrowing the last reactionary Ministry and installing the present Ministry, had been taken away, the Ministers are helpless in giving him any relief whatsoever even to bring him to Bengal or near Bengal. Also most of the instances that I am going to quote here are actions of the past Ministry and therefore it is more a question of undoing the evil that has been perpetrated than holding them responsible for them, though they are not altogether innocent in that matter. I will give you in short several instances. Sj. Surendra Mohon Ghosh, President of the Bengal Provincial Congress Committee, was detained under the Defence of India Rules. He was imprisoned and immediately he came out of the jail gate he was served with orders under the Defence of India Rules It cannot be argued that while he was in jail he was guilty of any offence for which the Defence of India Rules could be applied on him. Similar are the cases of Sj. Monoranjan Gupta, Sj. Anil Kumar Datta, Sj. Sarat Chandra Datta, Assistant Secretary, Khulna District Congress Committee, Sj. Gobinda Lall Banerjee, Secretary, Khulna District Congress Committee, and Sj. Pitabas Das of Contai subdivision. In all these cases when they came out of prison after serving their terms of sentences ranging from six months to one year, they were immediately served with orders under the Defence of India Rules and they were again taken back to prison. Sj. Satish Chandra Chakravarty, President of the Khulna District Congress Committee, offered Satyagraha but was not arrested; but subsequently he was detained under the Defence of India Rules. The case of Dr. Suresh Chandra Banerjee is well known. We are glad that to-day the order has been withdrawn, but we do not know whether any new order is going to be served on him. This was the first instance when immediately after the new Ministry was formed he was served with a notice that he was not to address any meeting in his own constituency and that was followed up by another and he was put under detention. Not only he but most of his colleagues in connection with the labour organisation with which he is connected are detained and some of them, specially comrade Phani Ghosh, was detained after the new Ministry came into office. Here is a typical example that I want to place before the House. Comrade Badiur Rahman is a colleague of mine. He works in Kidderpore area. Several workers were beaten by one European employer. We took permission from the Government to hold a meeting in Kidderpore to protest against this. The police officers wanted the names of the speakers, and we supplied them with the names of speakers. We held a meeting in Kidderpore and passed a resolution not for a strike nor for any subversive or revolutionary measure, but to start a court case at Alipore, and the result was that Badiur Rahman and Abdul Jabbar were spirited away by the police under the Defence

of India Rules and for one month we did not know where they were. After a month they were released with the order that one is to be interned in Comilla and another to be interned at Noakhali. Of course we protested to the then Home Minister and this much concession was given that they could fight out the case in court. Though that concession was given, the House will be surprised to hear that in spite of the assurances given by the Home Minister and the Secretary concerned the Commissioner of Police arrested him and he was kept in prison for five days and after five days of illegal arrest and illegal detention he was released. Not only that, some of the speakers whose names we supplied but who did not speak at the meeting were served with notices that they would not be able to hold any meeting in Calcutta for one whole year. For instance, I was also a speaker and order was served on me that outside this Assembly I would not be allowed to speak for one year. Though subsequently the orders on Badiur Rahman and Abdul Jabbar have been withdrawn, orders on myself, Dr. Charu Banerjee, Sukurulla Khan and Nalin Bhanja continue. These are the cases which should be reviewed and the evil that has been done in the past should be undone.

There are several other cases of labour workers who have been served with similar notices for having to do something either with compensation cases or payment of wages cases. So when there is a strike and when the people come to us for protection and advice if we move in the slightest manner in that direction, we are served with orders under the Defence of India Rules. I have just mentioned the case of comrade Phani Ghosh. Similar are the cases of Shyamapada Mukherjee, Nalin Bhanja and Mukunda Bhanja. I would like specially to mention the case of Maulvi Ashrafuddin Ahmed Chowdhury. He was in jail for one year and immediately he came out he was served with a notice under the Defence of India Rules. It seems to me that the department has got special love for Mr. Ashrafuddin Chowdhury, and it is troubling him in all possible manner conceivable. As I have pointed out in the beginning, this is a legacy of the past Ministers, and I hope the new Ministers will not plead inability to do anything in the matter. They should review these cases and see whether they can substantially remove the grievances of these political prisoners. If there is a review, I am quite sure that they will be all released, because of the altered political situation in the country.

With these words, Sir, I would like to support the motion moved by Khan Bahadur Mohammed Ali.

Mrs. HASINA MURSHED: Mr. Deputy Speaker, Sir, I confess to a feeling of disappointment at the debate raised on the question of Budget provision for Parliamentary Secretaries. Much of the criticism is based upon erroneous assumptions. We have to consider first whether

or not there is the necessity for such appointments. On account of growing volume of work and of the ever-increasing complexities which confront the present day administration the Ministers require that help and assistance without which it would be impossible to discharge their heavy responsibilities. (Mr. ATUL CHANDRA KUMAR: Hear! hear!)

Sir, before the operation of the Government of India Act, 1935, the then Ministers and the then members of the Executive Council used to receive assistance from their departmental Secretaries and the heads of departments. These latter officials used to be nominated members of the then Legislative Council. As, with the introduction of the Government of India Act, 1935, nomination of permanent officials has been done away with, it is essential that the functions of those departmental officers should be performed by some of the members of the Legislature. For this reason Parliamentary Secretaries have to be appointed. This is not a novel institution either and it exists in all Parliamentary Governments, Indian or English. In this connection, Sir, may I refer to one fact, viz., that in the Punjab the number of Parliamentary Secretaries is twice as large as that of the Ministers. In Bihar also when the Ministry was functioning, the same was the case.

Then again, Sir, the necessity of these appointments was recognised by the previous Ministry. (Cries of "No! no!" from the Opposition benches.) The difference, however, in this respect is one of number of such appointments. The present Ministry has provided for the salary of 16 Parliamentary Secretaries as against the actual appointment of 4 Parliamentary Secretaries made by the previous Ministry. This disparity in number, Sir, has been made much of. The fact that only four such appointments were made by the previous Ministry does not argue that there was no need for more. I refrain from discussing the reasons why so few appointments of Parliamentary Secretaries were made during the previous Ministry. (Dr. NALINAKSHA SANYAL: You better say that.) Apart from those reasons, one has to realise that the conditions and the circumstances under which the present Ministry is functioning are different from those appertaining to the previous Ministry. The previous Coalition Ministry consisted of three parties, whereas the present Coalition consists of no less than four parties, and their strength is numerically greater than that of the previous Coalition. On numerical ground alone a larger number of parliamentary appointments is necessary. The policy of the present Ministry is to give due representation to all the component parts of the present Coalition in every sphere of its activity with the minimum of cost. On the other hand, Sir, if it were the policy of the present Ministry to confine parliamentary appointments to the members of one family only, the number of such appointments might have been limited to three or four as was done by the previous Ministry. This Ministry does not contemplate to follow that policy. In order to appreciate the correct

financial implications involved in the present proposals, it is necessary to make a comparative examination of the financial liabilities past and present. It should be borne in mind that it is proposed to pay a salary of Rs. 400 a month to each Parliamentary Secretary. And the Budget provides for the pay of 16 Parliamentary Secretaries, or a sum of Rs. 76,800 in the aggregate under this head.

Sir, while the honourable members opposite have taken note of the debit side of the proposal, they have conveniently omitted to take into consideration the credit side as well. The average monthly earning of a member of the Legislature works out approximately at Rs. 300 as calculated from the figures of 1940-41. On this basis a Parliamentary Secretary, under the present proposal, will receive Rs. 100 extra a month each—only Rs. 100 extra on top of the average earning of a member of the Legislature. (Dr. NALINAKSHA SANYAL: What a pity!) The average earning of a member of the Legislature is approximately Rs. 300 and this extra hundred rupees will make it Rs. 400. The net extra cost that will be entailed upon Government on account of parliamentary appointments will be Rs. 1,600 a month. As against this there will be a saving under the head of "Ministers' salary," because some of the Hon'ble Ministers have been drawing lesser salaries than Rs. 2,500 a month which was used to be drawn by the previous Ministers. This will give us a saving of Rs. 2,500 a month even if the number of Ministers be increased by one or two at a later date. The number might be increased to eleven. (Dr. NANINAKSHA SANYAL: Is that an announcement?) Yes, it is an announcement which I make from facts appearing in the Budget. (Dr. NALINAKSHA SANYAL: How many will belong to the Muslim League or the Scheduled Castes?) I am not concerned with that, but the number is likely to be increased by one or two. (Dr. NALINAKSHA SANYAL: Will there be a lady member?) (Laughter.)

Mr. DEPUTY SPEAKER: Order, order. No interruptions please.

Mrs. HASINA MURSHED: The House will remember that the extra expenditure on account of the 4 Parliamentary Secretaries during the previous Ministry worked out at about Rs. 1,200 a month. One of the Parliamentary Secretaries, Mr. K. Shahabuddin, used to draw a salary of Rs. 1,000 a month which exceeded the average earning of a member by Rs. 700 a month. Thus during the previous Ministry the appointment of only 4 Parliamentary Secretaries had involved an extra cost of Rs. 1,200 a month as against Rs. 1,600 a month on the basis of the present proposal. The difference is only Rs. 400. This difference is more apparent than real, because it is likely to be set off by the saving which will accrue if less than 16 appointments are made.

The Ministry has provided in the Budget for the maximum number of appointments, and there is no commitment on their part that they

will actually make as many as 16 appointments. From these facts you may draw the conclusion that the present Ministry may appoint a larger number of Parliamentary Secretaries to meet the requirements of the day than the previous Ministry at approximately the same cost as was incurred for only 4 Parliamentary Secretaries.

May I, Sir, in this connection refer to the remark made the other day by Khan Bahadur Mohammed Ali in the course of the general discussion of the Budget? There was a suggestive reference to the appointment of the niece of the Hon'ble Chief Minister as a Parliamentary Secretary. I am sorry to note that this reference was incomplete. He conveniently forgot to mention that the Chief Minister had also appointed an uncle of Khan Bahadur Mohammed Ali as also two of his cousins, one of them being the brother of his present Leader. I hope I have been able to show by facts and figures that the present Budget proposal regarding the appointment of Parliamentary Secretaries will not actually entail greater cost on the provincial revenues than it did during the previous Ministry.

As regards the question of travelling allowances, I am equally confident that the total travelling allowance bill of all the Parliamentary Secretaries to be appointed by the present Ministry, put together, is not likely to exceed the amount of travelling allowance drawn by the previous Parliamentary Secretaries.

Complete records are not immediately available, but it appears that in the year 1941, Mr. K. Shahabuddin drew by way of travelling allowance over Rs. 3,250, while Mr. K. Nasarullah accounted for nearly Rs. 2,000 and more than three-fourths of the journeys were made to Dacca which is their home.

I hope that the House will be convinced that the proposals made in the Budget will not involve a greater expenditure than was incurred by the previous Ministry on account of Parliamentary Secretaries.

In any case, Sir, it is always wise for people who themselves sit in glass houses not to pelt stones at others. With these words I oppose the motion.

Mr. ABDUR RAHMAN SIDDIQI: Mr. Deputy Speaker, I should like to have it confirmed that the statement made by the honourable lady Parliamentary Secretary is a pronouncement on behalf of Government.

Mr. DEPUTY SPEAKER: It is for the Hon'ble Home Minister to say. He says that he will give a reply later on.

Khan Bahadur MOHAMMED ALI: We would like to know whether it is an official announcement.

Mr. DEPUTY SPEAKER: The Hon'ble Home Minister will say when he gives a reply to the debate.

The Hon'ble Mr. A. K. FAZLUL HUQ: I may say that we are prepared to receive applications even from the members of the Opposition.

Maulvi ABUL HASHIM: The Hon'ble Chief Minister invites applications from this side of the House. Of course, we are thankful to him. At the same time we want to tell him straight that we decline to serve under a man of his stamp.

Mr. FAZLUR RAHMAN: Mr. Deputy Speaker, Sir, I rise to support the cut motion moved by my friend Khan Bahadur Mohammed Ali, namely, the abuse of the Defence of India Rules and also speak on my motion, namely, the improper transfer of Muslim executive officers.

Sir, the administration of the Defence of India Rules by the present Ministry has been a scandal unprecedented in this province. They have used it, Sir, without regard for the most elementary principles of justice and equity and without any sense of decency against their political opponent. They have without compunction made it a veritable engine of partisan oppression which the author of these rules never contemplated.

Sir, arrests have been made, internment and externment orders have been passed, meetings of Muslim League have been prohibited and restrictions of various other kinds have been imposed and the Ministers were out for the destruction of the civil liberties of those who refused to be coerced into supporting them.

Sir, I shall not go into details of the abuses of the Defence of India Rules—that has been done already on the floor of this House. I am certain that even among the members of the European group in this House and among the permanent services outside, the Ministry's use of this wartime measure for feeding fat political grudges has caused considerable uneasiness. I do not expect, however, Sir, that the honourable gentlemen on our left will, for that matter, allow the dictates of their better judgment to prevail over that peculiar British tradition of supporting a Ministry working the constitution—right or wrong. No, Sir, we have no such illusions—but I feel sure that the charges which we, on this side of the House, have brought forward against the Ministry on the score of their abuse of the Defence of India Rules, will be admitted by them in their hearts, as justified—whether they vote with us or not.

While referring to the attitude of the European Party, Sir, I would like to draw the attention of the House in general and of the European

Party in particular to the most amazing tragi-comedy that is being staged in Bengal in another sphere—namely, the arrests and detention under the very Defence of India Rules of the followers and friends of some of the Hon'ble Ministers themselves.

Are they themselves a party to the orders for these arrests, searches and detentions? If so, then they must be convinced that the office of their party contains documents or other incriminating objects hidden away somewhere which they send their police to discover. They must also be convinced that some of those who have been working under their lead and command are guilty of conduct which makes them a menace to their country's security. In such circumstances, is it not but natural for the public to ask exactly where the sympathies of these Ministers themselves lie?

If, Sir, these arrests and detention under the Defence of India Rules are justified, then these Ministers cannot have the confidence of the public because their position depends on the support of a party which they themselves appear to believe to be guilty of treason.

On the other hand, if they have no hand in these arrests, detentions and searches and if they believe that those of their supporters who are being arrested and detained under the Defence of India Rules are innocent, they then clearly prove themselves to be helpless in preventing the abuse of these rules against their own followers. In that case they must, as self-respecting men, walk out of the Ministry.

Sir, we on this side of the House, are very curious to know what view the European Party take of this Dr. Jeckyll and Mr. Hyde drama in which two Hon'ble Ministers appear in the leading role. We also feel that this House is entitled to know whether His Excellency the Governor who is the head of the administration, is feeling quite secure in his own mind about this intriguing position of two of his Ministers who are, under the Constitution, presumed to be in his confidence.

Sir, I would now deal with the sense of insecurity which has been created among members of the permanent services by the revengeful conduct of the Ministry. There have been many cases since the present Ministry assumed office, when permanent officials have been improperly transferred or otherwise visited with the Ministry's disfavour on the mere suspicion that they were in sympathy with the Muslim League of the Hon'ble Ministers themselves. Sir, of the nine luminaries who illuminate the Treasury Benches, two belong to a political party known as the Forward Bloc. Their leader is in detention under the Defence of India Rules on a charge of having contact with the enemy of the British Commonwealth and of India. In other words, Sir, he is said to be guilty of treason. The All-India President of the Forward Bloc was only the other day interned from Bengal and is now under detention presumably on similar grounds. Every day in Bengal, workers of the Forward Bloc—supporters of the "Bose Group"

are being arrested and detained, their officers are being arrested. Yet, how we have two of the company on whom the custodians of India's security look upon with such suspicion, adorning the Ministerial *guddi*—in Writers' Buildings, in this House and even in the secret Council Chamber of His Excellency the Governor? What does it all mean? What exactly is the position of these two Ministers? What relation have they to the rest of their followers from among whom these arrests are being made under the Defence of India Rules?

These are the questions which have been raised in the public press but the Ministers concerned have not yet found it possible to reply.

To cite only a few glaring instances. A Subdivisional Officer whose name is in the list for listed posts has been deprived of the subdivisional charge and posted at the same station as a mere Deputy Collector simply because he was unable to send to jail innocent persons who had demonstrated against Mr. Fazlul Huq and some of his colleagues. Another Subdivisional Officer who has put in 19 years of service has been transferred to a different subdivision as a mere second officer because at a railway station within his jurisdiction a galaxy of black flags offended the vision of Mr. Fazlul Huq. Even an officer of the Indian Civil Service has been transferred long before it was due because he offered a cup of tea to an ex-Minister who is now a political opponent of the present Home Minister.

Sir, there are many instances like these and I again ask the members of the European party and every fair-minded member of this House whether their sense of all that is fair and honest does not revolt against a tyranny so elemental. Do they realise that the services are feeling themselves helpless and looking in vain for that protection from the Government as such to which they are entitled? Here indeed, Sir, we feel that the special responsibilities of the Governor are involved and we shall watch with interest what relief His Excellency the Governor gives to the services. Sir, I can assure you that we would not have invoked the special responsibilities of the Governor unless we felt that the Ministry had been deliberately unfair to the services. With these few words I wholeheartedly support the cut motion moved by my friend, Khan Bahadur Mohammed Ali as well as commend my motion for the acceptance of the House.

Mr. KAMAL KRISHNA ROY: মিষ্টার ডেপুটী স্পীকার, স্যার, শ্রদ্ধেয় শিবনাথ বন্দ্যোপাধ্যায় মহাশয়ের ছাটাই প্রস্তাব সমর্থনের জন্য দাঁড়িয়েছি। শিবনাথ বাবুর প্রস্তাবে আছে যে মিটিনিসিপ্যালিটী এবং অন্যান্য স্বায়ত্বশাসন প্রতিষ্ঠানের মিউনিসিপ্যালিটী এবং অন্যান্য স্বায়ত্তশাসন প্রতিষ্ঠানের নির্ব্বাচনের যে সকল নিয়ম-কানুন আছে তার আশু পরিবর্ত্তন দরকার। স্বায়ত্ত-শাসন বিভাগের যে আইন প্রায় ৭।৮ বৎসর পূর্ব্বে অর্থাৎ ১৯৩৪ সালে স্যার বিজয় প্রসাদ স্বায়ত্বশাসন প্রতিষ্ঠানের নির্ব্বাচন সম্পর্কে গভর্ণমেণ্টের পক্ষ থেকে করেন সেই নিয়মকানুনের মাঝখানে যে সব গলতী আছে

সেই গলদের ফলে যারা বাংলায় বিভিন্নস্বায়ত্বশাসন মূলক প্রতিষ্ঠানগুলি অর্থাৎ ইউনিয়ন বোর্ড, মিউনিসিপ্যালিটী, জেলা বোর্ডের মাঝখানে যে অনাচার আছে আমার বিশ্বাস এই সভার সদস্যদের মনে সেই অনাচারের কথা সকল সময়ে জাগ্রত আছে। আমি সারা বাংলার বিভিন্ন জায়গায় এই ইলেকসান বা নির্বাচনের মূলে যে অনাচার হয় আইনের গলদের জন্য সে সকল সম্বন্ধে সবিশেষ আলোচনা না কোরে আজ যে দুটো ইলেক্‌শন আমাদের চোখের সাম্‌নে ভাস্‌চে সেই দুটো ইলেক্‌শন সম্বন্ধে উল্লেখ কোরে এই আইন কিরূপভাবে পরিবর্ত্তন করা উচিত মোটামুটিভাবে তার suggestion দেব।

আপনারা জানেন যে অল্প দিন পূর্ব্বে হাওড়ায় যে মিউনিসিপ্যাল নির্বাচন হল সেই মিউনিসিপ্যাল নির্বাচনে একটা নূতন তথ্য নূতন ভাবে দেখা গেল। আমাদের মাননীয় অন্যতম সদস্য শিবনাথ বন্দ্যোপাধ্যায় মহাশয় সেই নির্বাচনে অন্যতম প্রার্থী ছিলেন। তার নাম ভোটার লিষ্ট থেকে বাতিল কোরে তাঁর nomination paper কেটে দেওয়া হয়। তার জন্য কারণ কি দেখান হয়, না তাঁর নামের পিছনে বা সঙ্গে লেখা ছিল যে তাঁর বয়স ১৪ বৎসর। এই অজুহাতে তাঁর নাম কেটে দেওয়া হয়, অবশ্য তার পরে আইনসঙ্গত উপায়ে যে ব্যবস্থা করা হয় তার দ্বারা তিনি পুনর্ব্বার নির্বাচন প্রতিদ্বন্দ্বিতায় নাম্‌তে পান। এখন বিচার কোরে দেখুন যে শিবনাথ বন্দ্যোপাধ্যায় মহাশয় তিনি ট্যাক্স দিচ্ছেন, তার কাছে মাসের পর মাস, কোয়ার্টারে পর কোয়ার্টার ট্যাক্স আদায় হচ্চে, তা সত্ত্বেও তাঁর নামের সঙ্গে তার বয়স ধার্য্য হল ১৪ বৎসর। এযে কেমন কোরে ভোটার লিষ্ট তৈরী হয় তা সকলেরই জানা আছে। এই ভোটার লিষ্ট তৈরী করবার সময় সাধ কোরে যদি কেউ না করে কাকে ভোটার করবে না করবে অর্থাৎ দলগত কুঅভিসন্ধি না থাকলে পর এমন কিছুতেই হতে পারে না যে যার বয়স ৪৪।৪৫। ৫০ বৎসর হয়ে গেছে, যিনি দেশের মধ্যে সুপরিচিত, সহরের মাঝখানে সুপরিচিত তার বয়স হবে ১৪ বৎসর। এমন ভাবে যারা ভোটার লিষ্ট নিয়ে আলোচনা করেছেন তাঁরা দেখ্‌বেন যে ভোটার লিষ্টের মাঝখানে কত গলদ যে হয়ে থাকে তার অন্ত নেই। কিন্তু এই গলদ ঠিক স্বাভাবিকভাবে ২।১টী ক্ষেত্রে উপেক্ষিত হতে পারে কিন্তু অধিকাংশ ক্ষেত্রে দেখা যায় বিশেষ কোরে মিউনিসিপ্যালিটীর ভোটার লিষ্ট তৈরী করবার সময় এই গলদ বেড়ে যায়। ফলে দাঁড়ায় এই যে নির্বাচনের নামে যেটা হয় সেটা সত্যিকারের নির্বাচন নয়। সেখানে যে দল প্রধান অবস্থায় আছে, যারা মিউনিসিপ্যালিটী দমন কোরে থাকেন তাঁরা যদি দলবল নিয়ে সেখানে থাকতে যান তাহলে মিউনিসিপ্যাল নির্বাচন থেকে তাঁদের হারিয়ে দেওয়া কোন নূতন দল বা নূতন মানুষের পক্ষে সম্ভব হয় না। আমি আপনাদিগকে এ কথা বল্‌তে পারি যে মিউনিসিপ্যাল নির্বাচন বা অন্যান্য নির্বাচন সম্বন্ধে আমার যথেষ্ট অভিজ্ঞতা আছে। আমি নিজে বহুদিন মিউনিসিপ্যালিটীর চেয়ারম্যান ছিলাম। তাছাড়া যত রকম নির্বাচন আছে তার সম্বন্ধে যথেষ্ট অভিজ্ঞতা আছে। সময় নেই বেশী বল্‌বার। এ নিয়ে আজিমগঞ্জ বা অন্যান্য জায়গায় ভোটার লিষ্ট correction করবার জন্য মানুষকে যে বিব্রত হতে হয় সে সম্বন্ধে সামান্য একটু বল্‌চি। একটা নাম correction করবার

জন্য এখনও আভিমগঞ্জে যেটা pending election তাতে প্রায় দেড়শ টাকার উপরে খরচ হয়ে গেছে। এই কারণে আমি ২।১ টা suggestion দিয়ে আমার আজকের ছাঁটাই প্রস্তাব সম্বন্ধে আমার বক্তব্য শেষ করচি।

(১) সাধারণত: অশিক্ষিত মানুষের ভুলের জন্য যেমন Assemblyতে symbol দ্বারা ভোট নির্ব্বাচনের ব্যবস্থা হয় সেই symbol system introduce করা উচিত।

(২) এখনও যে মনোনয়ন প্রথা রয়েছে সেটা সম্পূর্ণভাবে তুলে দেওয়া উচিত।

(৩) ভোট দেবার ক্ষমতা আরও বাড়িয়ে দেওয়া উচিত; সমস্ত সম্প্রদায়ের বিশেষ কোরে শিল্পী কর্ম্মী এই সম্প্রদায়ের যাতে ভোট আসে তার ব্যবস্থা করা উচিত।

Mr. SASANKA SEKHAR SANYAL: Mr. Deputy Speaker, Sir, I am extremely grateful to my friend Dr. Nalinaksha Sanyal for having very generously referred to us in terms of the Congress. I am extremely grateful that he has given us—the Congress in coalition—an opportunity of explaining our position with regard to certain questions arising out of emoluments. With regard to the question of translating into action the Congress ideals, I believe, Dr. Sanyal of all persons knows that the Government which is functioning to-day is not a full-fledged Congress Government. Dr. Sanyal knows that on account of certain exigencies of the Province, one section of the Congress has come over to the Government with, if not the active support of the remaining portion of the Congress, still at least with the blessings and good wishes of the remaining section. The reason is obvious. Not that we of the Congress Party were eager to come to office merely for the love of it, but because we were convinced that having regard to the peculiar situation to which the previous Government had driven the whole Province, we thought that it was time that at least we should come to the Government in order to give a breathing space to the oppressed people of the Province. I assure Dr. Sanyal and the party he represents that since we have come here we have been trying from the very first day of the coalition to persuade our brethren of the Coalition belonging to the other groups and parties to accept as far as possible the traditions and principles of the Congress Party and I am glad to be able to say not merely on behalf of the Congress Party, which is my party in the Coalition, but also on behalf of the larger Coalition Party that not only the Ministers but also the followers of the Ministers are trying to put into operation those ideals which are the acknowledged ideals of all progressive sections of political thinkers of this country.

Sir, my friend Dr. Sanyal knows that it is not merely a question of Ministers' salaries, it is not merely a question of the salaries of Parliamentary Secretaries that has been debated on the floor of this House now and before, but the question of the members' emoluments has also been discussed. We should not forget that when we were

one party at the beginning of this House, we tried with one voice—the Congress and the Krishak Praja Parties—that not only should the salaries of Ministers be brought down, not only should other expenses be brought down, but that the remuneration and emoluments of members should also be brought down to a level approximately arrived at by the Congress provinces. We are drawing and my friends of the Congress in Opposition are drawing Rs. 12-8 a day. We are not happy over that and they are also not happy over that, but still we are drawing. We had been drawing because that was a position which was forced upon us as a minority. Similarly, if in the Coalition we have not succeeded in getting the standard of the Congress provinces or the Congress ideals, this is because we of the Congress and the Krishak Praja Party are a minority in the Coalition and that our Ministers in the Cabinet are still a minority there.

Sir, for the larger interest of the province we have entered into a pact with the other party on a principle of give and take. We have to give something so that we may get something. I do not wish to disclose the confidential discussions of our party, but still I may assure my friends, the Congressmen in the Opposition, that we shall try to persuade other members of the Coalition party to meet us at least half way and my friends in the Opposition will have no reason to be unhappy. They will find that this Cabinet has in its wisdom come to a decision which does not really achieve the standard of the Congress, still it goes far enough to meet the desired wishes of the progressive sections of this House (A voice from the Muslim League Opposition benches: Never.) Sir, there is an interjection of "never" from the Opposition of the Muslim League variety. Well, Sir, if you will excuse me I had no mind to refer to that, because I want to debate in a more or less domestic mood with our friends of the Congress party in Opposition, but since there has been an interjection, may I remind them that with regard to this matter the less said the better.

Now, Sir, the question of Parliamentary Secretaries has been the subject of a full-fledged debate from my Opposition friends of the Muslim League. Parliamentary Secretaries have been a very handy stick to beat the present Coalition party with, but, Sir, may I remind my friends over there that the only difference between their Government and that of ours is that while we are appointing Parliamentary Secretaries we want to have the vote of the House after a full criticism of the policy. Now what did they do? They did not appoint their Parliamentary Secretaries on a question of principle; they had their Parliamentary Secretaries on a principle of personnel and family patronage and what is worse persons who were not really appointed Parliamentary Secretaries were *de facto* Ministers and what they did with their left hand the right hand of Government never knew. So, Sir, the only difference between them and us is that we want to have

our Parliamentary Secretaries, because we want to extend the functions of the Cabinet. We want to have our Ministers to be kept in daily touch with all parties within and outside the House. Sir, it is purely a question of making our Coalition party democratic, so that Government may function on proper lines. The previous Government had a coterie of relations and friends and as a result of that coterie a large section of the Coalition party members were kept in the dark as to the policy and the programme of the then Ministry. We want to make a departure from that policy. We want to make our Ministers properly representative. Each party must have a Parliamentary Secretary to embrace two points. In the first instance it will relieve our hard-working Ministers and give them more opportunity of doing things more intensively than was done by the Ministers of the previous regime. In the second place these Parliamentary Secretaries will have the advantage——

(At this stage the member reached his time-limit but was allowed to continue.)

As I was saying, Sir, our Parliamentary Secretaries come in contact with the Ministers and with the members as well as with political workers. After all we have got to run this Government. This Government cannot be run efficiently unless the agencies functioning the Government are such as to be in a position to embrace the difficulties of the problems and the grievances and necessities of the province and the millions outside from day to day, from hour to hour. My good friend Mrs. Hashina Murshed has tried to convince the House with her usual ability that it will not mean extra cost to a great extent. After all if you consider the annual emoluments of members of the East Bengal districts, you will find that the average earning of a member comes very near Rs. 400. So, Sir, it will not really be extra cost and ultimately it will not mean additional burden in our budget. We have included it in the budget, because we do not want to hoodwink the members of the House and we want to make the appointments on a question of policy. You do not pay them anything extra and still you are getting whole-time work from 17 members for the parliamentary work. They will not be like the Parliamentary Secretaries of the previous Government responsible to their pockets but not responsible elsewhere. Our Parliamentary Secretaries will be responsible to the Ministry, to the members of the House including the members of the Opposition and they will be responsible to the millions outside. I think, Sir, our friends of the Muslim League Opposition, should not go on criticising the appointments of Parliamentary Secretaries.

Then, Sir, may I refer to the state of things in other provinces? In Bihar which was a Congress province, certain Congress Ministers have achieved a standard which it will be very difficult to achieve by

other Ministries elsewhere, but the efficiency which it displayed was to a certain extent due to the number of Parliamentary Secretaries there. If you go to the Punjab where the state of things is almost similar to that obtaining in this province, you will find that as against six Ministers there are about 18 Parliamentary Secretaries. In our own province you will find that necessity requires similar things as in other provinces.

Sir, before I conclude this portion of the debate, permit me to refer to a very obnoxious thing delivered by my friend Mr. Fazlur Rahman of Dacca. The reference to Mr. Sarat Chandra Bose is irritating to say the least of it. Whatever may be the attitude of the Britishers towards Mr. Sarat Chandra Bose, whatever may be their attitude to-day or to-morrow, that is no concern of my friend Mr. Fazlur Rahman of the Muslim League party. Pardon me if I say that when the future history of Mr. Sarat Chandra Bose's episode is written, our posterity will not be surprised if the hidden treasures of history on that day indicate that when in despair Sir Nazimuddin's group found that their continuation would be impossible they gave a parting kick and they left a legacy to this province in Mr. Sarat Chandra Bose's arrest. Sir, it is premature to say anything now. It is no concern of our friends of the Muslim League party. We know what Mr. Sarat Chandra Bose's arrest and detention mean to us. Future history will describe him as the father of modern Bengal and if we cannot bring him to this province to pilot the destinies of this Government, if we cannot bring him to give us the benefit of his superior wisdom, for the time being we are content by suffering for the interest of this province. But, Sir, my friends who are talking in one strain of civil liberties were in the same strain talking in a vein in justification of the arrest and detention of Mr. Sarat Chandra Bose. Inconsistent idealogy can really be possible only in the inconsistent politics of the Opposition of the Muslim League variety. That is an end of the matter.

My friend Mr. Kamal Krishna Roy has referred to certain things with regard to municipal elections. Well, Sir, there are defects in municipal elections on account of the defects in the existing law and he knows and we also know—we of the Congress mentality—that we have all along been trying to impress upon the Government for a revision of the Act, and we are sure that when our Government have time to settle down to consider the day-to-day work of the province, certainly this question will receive their attention and the results of the decision that will be arrived at will not only be happy to them but also happy for the whole province.

Khwaja Sir NAZIMUDDIN: Sir, before I speak on the motion namely the motion of my friend Khan Bahadur Mohammed Ali about the abuse of the Defence of India Act, I would like briefly to refer

to the speeches that had been made from the Government side so far. I cannot go deeply into them because that will take a very long time, but I shall try to point out the obvious fallacies contained in the speeches of the two members from the opposite side. For example, the lady Parliamentary Secretary has said that the average earning of a member is Rs. 300 and as the Parliamentary Secretary gets only Rs. 400, there is only an additional expenditure of Rs. 100. This is not correct. Being a resident of Calcutta and a representative of Calcutta, her income will be no more than Rs. 150 and, therefore, the difference is much more than Rs. 100 when her salary is Rs. 400.

Mrs. HASINA MURSHED: On a point of personal explanation, Sir.

Khwaja Sir NAZIMUDDIN: I am not going to give way.

Mrs. HASINA MURSHED: On a point of personal explanation.

Khwaja Sir NAZIMUDDIN: I look to you, Sir, to stop these interruptions. Similarly, the travelling allowances and other paraphernalia of 16 Parliamentary Secretaries will be much more than it will be for four. Besides, we have got already the extraordinary spectacle of a Parliamentary Secretary making an official announcement on behalf of Government which is, if not repudiated, at least not supported by the Hon'ble Chief Minister.

Mrs. HASINA MURSHED: That will be done.

Khwaja Sir NAZIMUDDIN: When 16 Parliamentary Secretaries will be going round the country and speaking on behalf of Government and making announcements which will be neither contradicted nor confirmed, you can imagine the state that Bengal will be reduced to.

Then, Sir, there is a lot to say about the speech of my friend Mr. Sasanka Sekhar Sanyal, but the time is so short that I shall be able to concentrate only on one or two important points. The thing that stands out is the policy of give and take. The giving up is as regards protests against the use of the Defence of India Act by the present Ministry, a subject on which for 4½ years the members of that party waxed eloquent. There was nothing in the English or Bengali literature that was not used in this House condemning the Ministry for arrests, detentions, externments of persons, etc., under the Defence of India Act. Sir, that policy is being maintained to-day without a single change whatsoever. Added to that, the present Government has been guilty of the unpardonable crime of taking action against those who are engaged entirely in parliamentary activities and they have been using the Defence of India Act for the purpose of stifling

the criticism of and opposition to Government. Sir, the giving up part comes here. Their comrades who are now in jail and in detention as security prisoners, their comrades who are in internment and their comrades who are in externment have been given up and not only given up, Sir——

Mr. ATUL CHANDRA SEN: It was all done by you.

Khwaja Sir NAZIMUDDIN: My honourable friend says that it was all done by me. I would like to ask that during the short period of three months that this Government has been in office, how many men of their party, particularly of the Forward Bloc have been dealt with under the Defence of India Act? I ask them: has this Government not been guilty of unceremoniously turning out of the province an All-India leader of that party? That order was not passed, as an attempt was made to show, in October or November. That order was passed during the term of office of the present Government. This is where the giving up has come in, and the taking consists in accepting office and in accepting Parliamentary Secretaryships. There is another point which I would like to mention. The previous Government when they took action under the Defence of India Act, had the courage to defend that policy and to substantiate it. They might have made mistakes. Their policy might have been wrong, but they were not guilty of disowning the responsibility for actions which they took and of thrusting the responsibility on officers of Government, (Cries of "shame, shame") for whose action they are directly responsible. Sir, it is absurd to suggest that the Ministers cannot prevent their officers from taking action on questions regarding which powers have been delegated by the Government themselves. To-day the Ministers can take away any power that they may have delegated to these District Magistrates or the Commissioner of Police. In my time, if I may say so, the officers did not carry out anything which I did not want them to do, and if the Hon'ble Ministers to-day maintain that they are powerless to control their officers then I think it is a condemnation of their very existence as Ministers. It is not an excuse or defence for perpetrating injustice. (MR. SURENDRA NATH BISWAS: Is that a monopoly of yours?) Sir, let me explain what is the real objection of ours. We have objected only to the use of the Defence of India Act against parties that are engaged in purely parliamentary activities. I maintain, Sir, that it is a question of very great principle and it affects the privilege of the members of the House. As long as you, Sir, sit in the Chair and as long as the House functions it is the inherent right of the members of this House to address their electorates, to canvass, to educate them and to get their support and to obtain a vote of condemnation against the Government and to criticise the policy of the Government. Sir, the Defence of India Act is an

emergency legislation which gives extraordinary and wide powers to the Government and the executive officers of Government. At that time when the power was given it was understood that it will be exercised by responsible officers in a responsible manner and an undertaking to that effect was given. It was expressly stated that it would not be abused. It was never contemplated that the Defence of India Act would be utilised to prevent demonstrations and criticisms of the Government, the Ministry and those who are in power. Sir, it may be said that during my regime or in the time of the previous Government, the Defence of India Act was freely used. I admit that it was so; but it was used for the purpose for which the Act was passed. (Cries of "Question, question" from the Progressive Coalition Benches.) One minute more, please have patience. It was used either to prevent subversive activities or to stop obstruction to war efforts or successful prosecution of the war. I may be wrong as regards the persons against whom it was used. It may be that the persons were not guilty of what I stated, but the question of principle was not involved. It may be argued that the party A or Party B was not a member of a subversive organisation. It may be that they were not employed in any subversive activities or obstruction to war efforts. It may be a mistake of fact. That is a question which is debatable, but I maintain that during the regime of the old Government parties who were engaged in parliamentary activities and who were not seekers of any subversive organisation like the official Congress, the Mahasabha party, the Krishak Proja Samity of which the Hon'ble Mr. Shamsuddin is the leader——(A VOICE: What about the Forward Bloc.) I shall deal with it; just have a little more patience. As far as I remember no action was taken against members of this organisation; as the House is well aware, as far as the official Congress is concerned, action was taken only in cases where they indulged in Mr. Gandhi's Satyagraha. As far as this Hindu Mahasabha party is concerned——

Mr. KIRAN SANKAR ROY: What about the detention of Mr. Surendra Mohan Ghosh, the President of the Bengal Provincial Congress Committee?

Khwaja Sir NAZIMUDDIN: That may be wrong, that may be a mistake, but I can say this much that action was taken against him because he was concerned with subversive activities—he being an ex-detenu. That cannot be denied.

As regards the Hindu Mahasabha party, the leader of that party and its followers went from one end of Bengal to the other criticising and attacking the Ministry most vehemently. What is more is that whereas in other cases we took action against persons who were deliberately fomenting communal trouble and inciting the masses to commit communal violence, in the case of the Hindu Mahasabha men

who had been attacking the policy of the Ministry and the Ministers themselves we maintained that it would be wrong to use extraordinary powers to check those who were trying to criticise and attack the Ministry. And, therefore, in their case, we did not take any action.

Now, I come to the question of holding meetings by the members of the Krishak Praja Party to criticise the jute restriction policy of the Government. Here again the question was that jute was mainly wanted for the manufacture of war industry and as there was a likelihood of the creation of a serious situation in the province as a result of the wrong policy pursued by the members of the Krishak Praja Party, Government had to take action. The application of the Defence of India Rules in this case may be debatable, but I submit that that is no justification whatsoever for the action that is being taken against the Muslim League workers, its office-bearers and Muslim students. Sir, there is no time to go into the details to take up the case of the students and two businessmen who were detained in Feni after the visit of the Muslim League delegation and prior to the visit of the Hon'ble the Chief Minister and his colleagues. Nothing had happened at Feni beyond the reception that was given to us. But because those people who were subordinate to the Muslim League and they might lead a demonstration against the Hon'ble Chief Minister they were interned and what is more, they were interned beforehand and up till now some of them were still in internment. The other day the Chief Minister said that most of the orders that had been passed against persons in Noakhali and Feni have practically now been withdrawn. The reason simply is that most of these orders were for a period of two or three weeks. Sir, the very nature of the orders shows that it was merely to enable the visit of the Hon'ble Ministers to be a success that these people were kept under detention for two or three weeks. These two or three weeks' detention orders and orders of externment show clearly that these orders had no other object than to allow the Chief Minister in Bengal to have a successful visit. May I point out, Sir, how tragic the position is that Mr. Fazlul Huq who was supposed to be the uncrowned king of Muslim Bengal has been reduced to the position that he cannot visit any part of the mofussil Bengal unless action has been taken previously under the Defence of India Rules and persons are put under restriction to enable him to pay his visit to that place. He cannot visit a particular place on the day announced beforehand; he comes there a day or two after so that there cannot be any demonstration organised against him. He cannot face a public meeting in Bengal unless he is protected by armed forces. Mr. Fazlul Huq whom the people in the minority provinces regarded as an ideal and to have a glimpse of whom they did not mind travelling even long twenty miles and for whom even the old ladies used to pray in their houses, has now to travel almost incognito. These are facts which cannot be denied.

Sir, the other day the Hon'ble Finance Minister contradicted a member of our party in the course of the Budget discussion and said that he had seen with his own eyes an order being drafted to the effect that the students who were prosecuted under the Defence of India Rules were going to be discharged and those prosecutions were going to be withdrawn. But, Sir, as far as my information goes, even 15 days after that contradiction one Fazlul Quadir Chowdhury, a student of the Islamia College, has been convicted and sentenced to a fine of Rs. 200. Even after 15 days since he made that contradiction, cases against the students of the Rajshahi College—both Hindus and Muslims—are still proceeding, and I hope the Hon'ble the Finance Minister, after he has verified the facts I have already stated, will have the decency to apologise to the member whom he had contradicted. Government issued a communique saying that certain action was going to be taken in the matter, but yet within a month and a half after that we find that nothing has been done except in the case of the students of Barisal and Jessore. It was stated that prosecutions against all of them would be withdrawn. Sir, I will read out to you the order that was passed by the Subdivisional Officer of Natore that was handed over to me personally when I visited that place. This was a controversial question raised in the House the other day. I am just going to read out the order and the honourable members will judge for themselves what sort of an order this was.

Office of the Subdivisional Magistrate,

Natore.

ORDER.

Permission is granted to Kazi Mansoor Ahmed (?), Secretary, Natore Subdivisional Muslim League, Natore, to hold a mass Muslim League meeting at Gurudaspur on the 19th January, 1942, on conditions—please note "conditions"—that no political demonstrations or speeches are made, that no community is criticised or attacked in any speech and on a further condition that nothing should be spoken at the meeting which would be likely to rouse communal bitterness—

Mr. SURENDRA NATH BISWAS: Do you object to that?

Khwaja Sir NAZIMUDDIN: No, I object to the fact that permission had been given to hold a meeting of the League but in the order it was laid down that no political demonstration or speeches should be made. It was an obvious contradiction of the whole thing, and, therefore, it was wrong that only two speakers, namely, Sir Nazimuddin and Mr. Suhrawardy, would be allowed to speak. It is obvious that

when that delegation included the names of Maulana Akram Khan and Mr. Washeq it was quite natural that they should also be allowed to speak. But, Sir, they were not allowed to speak, and permission was given only to two of us.

Sir, in view of the shortness of time I do not want to go into any more details, but I appeal to my friends opposite who have for the last 4½ years protested against the use of the Defence of India Rules by the previous Government, to bear in mind that the successor of that Government is not only continuing the same policy but has added to it an action which is absolutely against parliamentary organisations and parliamentary activities. I hope they will support the motion.

Sir, as far as my friends on the left are concerned, I would like particularly to address them on this point. I know it has been the tradition of the European party to always support Government and never to vote against it. (MR. DAVID HENDRY: No, no.) They claim to hold independent views and to exercise their votes on the merits of a particular question. I ask them if in their own country this was before the members of the Parliament, what would be the verdict of the House and the members of the British Parliament when the political situation conclusively proves that the Defence of India Rules are being used to prevent members and leaders of parties who have resigned office and who have gone over to the electorate to obtain a verdict of the electorate on the question they have taken. Here on the Muslim League delegation there were three ministers of Government who had taken one of the most recognised parliamentary steps, namely, resigning from office. They came to the electorate to ask for their verdict, calling upon the electorate to condemn those who are now in office. It is clear that throughout our tour—and we practically went over one-third if not half of Bengal—there was not a single incident between Hindus and Muslims and as far as I remember there was not a single protest in any nationalist paper about any anti-Hindu activity on account of our speeches. There was no protest from the nationalist press. There was no protest from the local Hindus in any locality that we visited. We made ourselves clear and we made the aims and objects of the Muslim League so far as war was concerned clear that they were not meant to obstruct war efforts.

Under the circumstances, I call upon the European Party to judge for themselves what would be the verdict of the members in their own country if the Defence of the Realm Act had been applied there in this manner. May I remind them that when the Government arrested a member of the House there, they had to make that member come before the Privilege Committee of the House and they had to justify before that committee the action that was taken. Here deliberately, the Defence of India Act has been abused and the members of the

European Party are sitting there and will be recording their votes. It will be a test of their *bona fides* and their claim that they vote on merit.

Not only that. I know at the present time the Leader of the non-Official European Group has got the slogan that we must not take any notice of what is going on now but concentrate on war efforts. Let me tell him that in his own country when the town of London was being bombed to smithereens, the labourers and particularly the dockyard and shipping labourers did not put their whole energy and did not give their whole support until their grievances were redressed. That was the attitude taken up in England. That is the attitude taken up in England that you have got first to redress the grievances before you can expect people to give their support and co-operation to Government. How can anybody give co-operation and support to Government that is deliberately flouting the fundamental Parliamentary rights and privileges of members? Therefore, I submit that as far as the European Party is concerned, I hope they will give a test of their independence to-day.

As far as my friends on the opposite side are concerned, I may say that those who belong to the Forward Bloc condemned the Government for four years and a half. I know that they are going to vote against this motion and it will be a great personal satisfaction to me to find that to-day they have admitted the justification for the actions that the past Government did. The members of the party by their votes that they are going to cast to-day are going to deny the rights to those who are security prisoners by their action.

Dr. NALINAKSHA SANYAL: Sir, the question be now put.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, I propose to say a few words.

Dr. NALINAKSHA SANYAL: Sir, may we know when you propose to put it to vote?

Mr. DEPUTY SPEAKER: At half past eleven.

Mr. DAVID HENDRY: Mr. Deputy Speaker, Sir, I had no intention of participating in this debate but I have been forced to do so by references from more than one speaker this morning and I think, therefore, that it is only right that I should make our position in the matter of the cut motions on the Defence of India Rules clear. We have been accused of supporting the Government right or wrong. That, Sir, is completely wrong. We maintain our independence and although

Sir Nazimuddin has appealed to our independence, such appeals are not needed to stimulate us to act in an independent manner at any time.

The debate which started yesterday on the alleged misuse of the Defence of India Rules was used as a platform on which two opposing sections of Muslims in this House hurled charges and counter-charges against each other in a manner which, I must confess, I personally found most unedifying. We, Sir, take no part in the dispute between the two sections of Muslims in this House; we take no sides; we have never taken sides in the disputes between the two Muslim groups and we have no concern in this dispute other than to deplore it.

So far as the powers under the Defence of India Rules themselves are concerned, these powers have been delegated to the District Magistrates and District Officers concerned and it is their responsibility to administer these rules in such a way as to maintain public order. Whether there is likely to be any upsetting of public order due to a dispute between Hindus on the one side and Muslims on the other or between one section of Muslims on one side and another section of Muslims on the other is immaterial. If public order for any reason is liable to be upset, then it is the duty and the responsibility of the District Officer to see that public order is maintained and it is also his duty and responsibility to see that the powers which he has been given to maintain public order should be used fully and in a proper manner. The suggestion made by Sir Nazimuddin that these powers are being used by the Government at the present time for the sole purpose of suppressing legitimate parliamentary action does not appear to me to ring true, because we have had no refutation of the statement made by the Chief Minister on the floor of this House that the opposing section of the Muslim in this House have been able in the short period of the past three months to hold something between 400 and 500 meetings for purely political purpose. (Mr. H. S. SUHRAWARDY: All lies.) Lies there may be but I prefer to believe the Chief Minister in this matter,

Sir, we have also been accused by Mr. Fazlur Rahman of supporting the Government right or wrong and he criticised our action yesterday in going into the same lobby with the Ministry on cut motion No. 3. This cut motion was a very definite challenge, a definite accusation against District Officers and included the proposal that a committee of enquiry should be set up to enquire into the actions of these officers themselves. That, Sir, is to say the least of it an absurd request. A committee of enquiry at the present time is completely impossible. (Khwaja Sir NAZIMUDDIN: An enquiry with regard to Singapore is also impossible!) To undermine the authority of District Officers at a time such as this is a matter of the utmost danger and would

completely upset the whole district administration. I have no intention of making a long speech on this matter, but I think I have made our position clear and that we are opposed to the principle of interfering with district adiministration by committee of enquiry.

In conclusion, however, I should like to mention to the Chief Minister that in our opinion his reply to a question yesterday was not entirely satisfactory and we on this side would definitely like to know whether any directions have been specifically given to District Magistrates for the administration of the Defence of India Rules and what is the guiding principle under which District Magistrates administer these rules. I think if he clarifies these two points it might satisfy more people in this House than ourselves.

This is the chief question before the House at the present moment, but when I have this brief opportunity of speaking, I should like to ask the Chief Minister another question, and that is on the subject of Parliamentary Secretaries, which has been discussed very fully in this House this morning. Since it is the avowed policy of the present Government not to engage in controversial legislation, I should like to know whether it is really intended to appoint 17 Parliamentary Secretaries, and if so what their function will be. We know at the present time 17 Parliamentary Whips have been appointed, but this is merely a preliminary move before converting these into Parliamentary Secretaries. I think we ought to have some justification for such an extraordinary move. With these remarks, I pledge my Party's support to Government on these cut motions and in upholding the District Officers in the maintenance of district peace and order.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: I had no intention of taking part in today's debate, but there have been references to some statements which I have made and there have also been references to the general policy of administration affecting not only the Hon'ble Chief Minister who is in charge of the Home Department, but of the Government as a whole. Sir, I shall come first to the question of application of Defence of India Rules. Let it not be forgotten, Sir, that when the new Ministry came into office about the middle of December last, the Defence of India Rules had been in operation in this province for nearly two years before that. As Sir Khwaja Nazimuddin has said, the policy behind the application of the Defence of India Rules in this province was criticised and very vehemently criticised on the floor of the House and outside the Assembly. Sir, it lies ill with Sir Khwaja Nazimuddin of all persons today to complain that the Defence of India Rules are being misapplied in a manner which is inconsistent with the policy which was laid down by himself. It is not necessary for me, Sir, to go into minute details, but I say deliberately that during the

last two months it was given to us to scrutinise cases which were decided arbitrarily by the ex-Home Minister acting on the advice of such persons whose advice he thought it his duty to accept without a demur. Khwaja Sir Nazimuddin says today that during his regime there was not a single instance where any subordinate officials under him dared to go against his wishes. I believe, Sir, it would have been correct for him to say that there was not a single occasion when he dared to go against the wishes of his subordinate officials. ("Hear, hear" from the Coalition Benches and "Question" from the Opposition benches.) I shall give you two typical illustrations without betraying the secrets of the Government in any way, because these are two matters on which the Hon'ble Home Minister had vetoed the decision of the ex-Home Minister. This by itself will show the manner, the disgraceful manner in which the Home Department was administered by Khwaja Sir Nazimuddin. Only a few weeks ago we received an application from a certain gentleman hailing from Midnapore,—I need not mention his name, he belongs, I believe, to the official Congress organisation—asking for a monthly allowance or for an order for the withdrawal of restriction which was passed against him by the ex-Home Minister. Now, Sir, that application came and it was very carefully scrutinised and the facts without any comment because comments will be needless, stand as follows: This gentleman was externed from the district of Midnapore about two years ago. He immediately sent an application for an allowance or for the revision of the order. The matter came to the Home Department, through the Commissioner of the Burdwan Division. The Commissioner of the Burdwan Division in the first place did not make any specific recommendation. He was asked afterwards to make a definite recommendation in this case. He recommended that an allowance of Rs. 30 should be paid. The file came to the Home Department. The official view-point, the departmental view-point, of which I have nothing to say, was against it. It was that the application should be rejected. The Hon'ble Home Minister said "ditto" although the recommendation of the Commissioner of the Division was there that the allowance should be granted. Application after application for reconsideration came. I do not know whether these were thrown in the waste paper basket. History does not record it, but every application was rejected. It came then after the new Ministry came into office to the present Home Department, and the Home Minister, the new Home Minister unlike his predecessors, has ordered that the allowance should be given. There was absolutely no reason why the application should have been rejected by the ex-Home Minister. (Mr. H. S. SUHRAWARDY: "Hurray".) Mr. Suhrawardy may cry "hurray". That is I believe "hurray" for the follies and mistakes which he had committed and perhaps which are recalled to his mind after his recent return from Kusthia. Now, Sir, that is one of the illustrations which goes to show, Sir, the manner in which——

Mr. H. S. SUHRAWARDY: On a point of order, Sir. There is no motion for discussion before the House for cutting any grant of Sir Nazimuddin, of Mr. Suhrawardy or anybody else. The only matter for discussion is the policy of the present Government and not what Sir Nazimuddin did.

Mr. DEPUTY SPEAKER: That is no point of order.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: I fail to understand why Mr. Suhrawardy should be so anxious.

Mr. H. S. SUHRAWARDY: Because you are irrelevant.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: Because I am irrelevant? The burden of the speech of the ex-Home Minister was that he wanted the House to congratulate him that the present Ministry was continuing the policy which he had enunciated. Was he relevant? Was he relevant when he was making comparison at every step between the misdeeds which he had done and the attempts that are being made by the present Ministry to undo them? Is it irrelevant if I point out the manner in which the present Ministry had been attempting to undo the wrongs? It will take some time for us to undo the wrongs and to improve the tone of the administration in a manner which we regard as consistent with the best interests of the province.

I now come to a very important illustration. It was not my intention to deal with it today at this hour, because the matter will come before this House this afternoon. I shall give without going into details a very brief reference to some aspect of the administration of this province during the last four years. There is the question of security prisoners that has agitated the minds of many sections of this House and people outside; the demand has been made that either they should be put on their trial or their cases should be scrutinised. Now, Sir, without going into the details I make this statement that although the suggestion came from the Government of India that the cases of the security prisoners should be enquired into in a manner which would allay public suspicion and resentment, delay in giving effect to it was due to the deliberate policy pursued by the ex-Home Minister without any knowledge of his colleagues and of the Cabinet. Indeed he went even further than his advisers were prepared to go and his recorded opinion was that the Government of Bengal should approach the Governor-General that this policy of revision should not be applied to the province of Bengal. That was the regime of civil liberty which gagged Bengal into silence. It does not lie in the mouth of Sir Nazimuddin to get up before this House and say that this Ministry is continuing a policy of repression. The policy of the present Ministry has been criticised

with regard to its attempt to cut down the parliamentary activities of the party to which Sir Nazimuddin belongs. I repudiate that suggestion. I have scrutinised many of the orders which were passed by the District Officers. Now what has been the position when the present Ministry came to office?

The District Officers had acted on the lines of the policy enunciated by the past Government. I can say this that no instructions had been issued by the present Ministry to any District Officer to prosecute or to prevent the lawful activities of the party over which Sir Nazimuddin presides. No secret circulars were issued by the present Ministry as was done by the ex-Home Minister. I would beg of the House to consider this aspect of the matter. (There were interruptions from the Opposition members.) I know Sir, that these interruptions are due to the very simple fact that these remarks have gone home to persons who are guilty of nothing but sentimental hypocrisy.

Now, Sir, with regard to the policy pursued by the District Officers the position is this. Under the garb of holding meetings for the purpose of expressing their lawful criticisms against Government in a constitutional manner, if they proceed to act in a way prejudicial to public interests, arousing communal feeling particularly at a time when peace must be maintained, it is only in such circumstances that the District Officers have intervened. Sir Nazimuddin says "I allowed the Mahasabha to go on for the last 4½ years." May I ask him who sent the C. I. D. officers accompanying me in my tours in Eastern Bengal? May I ask him Sir,—I put this question straight to him—about the letters which I sent to the ex-Home Minister to which I have not received any reply—under whose instructions was the C. I. D. directed to open the letters of Hindu Mahasabha leaders, even during the period when one of them had become a member of the Council of Ministers? That is the policy that was pursued by the gentleman who is now sitting in the pose of a Napoleon after Waterloo! Previously also the Mahasabha meetings were stopped and I was served with a notice presumably under the Defence of India Rules when I was going to proceed to Noakhali, and also when a meeting was going to be held at Serajganj. Sir Nazimuddin's memory is very short. What about Mr. Kiron Sankar Roy and what about Babu Surendra Mohan Ghosh, the President of the official Congress Committee? He went to jail and as soon as he served his sentence, he was immediately served with an order under the Defence of India Rules. Again, what about two other members of the House—Mr. Pratul Chandra Ganguly and Mr. Jnanendra Chandra Mazumdar? I say, Sir, at the same time that it will not do for the present Ministry merely to say that because the past Ministry had acted in this manner, that is any justification for the present Ministry to pursue any such policy. I believe, Sir, that the policy of the present Ministry will be announced by the Chief Minister. But what

we desire to say is this that it is not the intention of the present Ministry to do anything which will interfere in any manner whatsoever with the lawful and constitutional activities of any political party. But if Sir Nazimuddin or the leader of the goondas or somebody else with whom—

(Cries of "Withdraw, withdraw" from the Opposition benches.)

Mr. H. S. SUHRAWARDY: For getting me assaulted at Kustia if he takes the blame on himself, then he is the leader of the goondas.

Nawabzada K. NASARULLAH: The Hon'ble Dr. Mookerjee should wthdraw the expression "leader of the goondas".

Mr. FAZLUR RAHMAN: He must withdraw the expression.

(Cries of "Withdraw, withdraw" from the Opposition benches.)

Mr. DEPUTY SPEAKER: I want to know from the Leader of the Opposition what the members of his party want.

Khwaja Sir NAZIMUDDIN: We want that the Hon'ble Finance Minister should withdraw the expression "leader of the goondas".

Mr. DEPUTY SPEAKER: I shall ask the Hon'ble Dr. Mookerjee to say what he has stated.

The Hon'ble Dr. SYAMAPRASAD MOOKERJEE: When I made the statement I was not referring to any particular member——

(Cries of "Withdraw, withdraw" from the Opposition benches.)

What I said was this that this Government would not interfere in any manner whatsoever with the lawful and constitutional activities of any political party but if——

(Cries of "Withdraw, withdraw" from the Opposition benches.)

The Hon'ble Mr. A. K. FAZLUL HUQ: May I say a word, Sir?

Nawabzada K. NASARULLAH: We will not allow the Hon'ble Chief Minister to say anything unless the Hon'ble Finance Minister withdraws the expression he has used.

(Cries of "Withdraw, withdraw" from the Opposition benches.)

Mr. DEPUTY SPEAKER: The statement made by the Hon'ble Dr. Mookerjee is absolutely clear. He says that he did not refer to any particular individual member.

Nawabzada K. NASARULLAH: No, that is not true.

Khwaja Sir NAZIMUDDIN: May I draw your attention to the fact that the expression "leader of the goondas" was used immediately after my name was used. The only inference that could be drawn is that he referred to other members of my party and nothing else.

Mr. DEPUTY SPEAKER: I shall get the official report and then look into the matter. I do not know what actually the Hon'ble the Finance Minister said but if the position is actually as you say, I will certainly ask him to withdraw.

Dr. NALINAKSHA SANYAL: Sir, I move that the question be now put.

(The Hon'ble Mr. Santosh Kumar Basu at this stage rose to speak when there were loud cries of "Withdraw, withdraw" and of "We won't hear you, Mr. Basu" from the Opposition benches.)

Mr. DEPUTY SPEAKER: Please sit down, Mr. Basu.

If you, members of the Opposition shout in this fashion and thus obstruct the normal proceedings of this House, I will have no other alternative but to put the closure motion of Dr. Sanyal. But I would, in the first instance, appeal to you, Sir Nazimuddin, to give me an opportunity of looking into the official proceedings before I am asked to give my decision on the question. How can the business of the House go on if every one in the Opposition benches take up the role of the Leader and thus obstruct the business of the House? I assure you all that if I find the statement of the Hon'ble Minister to be unparliamentary, I will personally ask him to withdraw it. In the meantime I appeal to you to allow the Hon'ble Mr. Santosh Kumar Basu to go on with his speech.

(When the Hon'ble Mr. Santosh Kumar Basu again rose to speak there were loud cries of "We won't hear you", "We won't hear you" from the Opposition benches and counter-cries of "He must", "He must" from the Progressive Coalition benches.)

Mr. H. S. SUHRAWARDY: On a point of order, Sir. The Hon'ble the Finance Minister has admitted even when offering an explanation that he did use the words "the leader of goondas"——

Mr. DEPUTY SPEAKER: I did not hear that.

Mr. H. S. SUHRAWARDY: ——and that he said that he did not refer to any particular member. It does not matter whether he has

referred to any particular member, whether on this side or the other side of the House, but the point is whether he did use the words "leader of the goondas". He did use those words and he must withdraw the expression.

Mr. NIHARENDU DUTTA MAZUMDAR: On a point of order, Sir——(Tremendous noise from the Opposition benches all the while Mr. Dutta Mazumdar was speaking.) ——It is clear that on this side of the House we did hear that the expression "leader of the goondas" was used by the Hon'ble the Finance Minister We know, Sir, that (there was such great noise in the whole House that Mr. Dutta Mazumdar was quite inaudible at the Reporters' table) —— there are leaders of goondas in the country (the noise rose to a very high pitch again)——We do not know, Sir, whether there are leaders of goondas in this House. The Hon'ble Minister did not refer to any particular member of this House——(loud cries of "He did", "He did" from the Opposition benches)——and if any particular person is not guilty in his conscience there can be no reason why this expression should be considered as a sort of reflection on the activities of any particular member. Therefore, Sir, I think there is no question of withdrawing that expression.

Dr. NALINAKSHA SANYAL: I again move, Sir, that the motion be now put

Mr. DEPUTY SPEAKER: Now that the closure motion has been put and especially as I find that the Opposition is in no mood to carry on the business of the House in an orderly manner, I will put the motions forthwith to the vote of the House.

The motion of Khan Bahadur Mohammed Ali that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100 was then put and a division taken with the following result:—

AYES—61.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikramperi, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rashed, Maulvi Md.
Abdus shahood, Maulvi Md.
Abidur Reza Choudhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Banerjee, Dr. Suresh Chandra.
Chattopadhyay, Mr. Haripada.
Das, Babu Radhanath.
Datta, Mr. Dhirendra Nath.
Deivi, Mr. Narendra Nath.
Dutta, Mr. Sukumar.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.

Hamiduddin Ahmad, Khan Sahib.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Jalan, Mr. S. D.
Jasimuddin Ahmed, Khan Sahib Maulvi
Maiti, Mr. Nikunja Behari.
Mal, Mr. Iswar Chandra
Maniruddin Akhand, Maulvi.
Masud Ali Khan Panni, Al-Hadj Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukherji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Roy, Mr, Kamal Krishna.
Roy, Mr. Kiran Sankar.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Sanyal, Dr. Nalinaksha.
Sen-Gupta, Mrs. Nellie.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Sinha, Srijut Manindra Bhusan.
Suhrawardy, Mr. H. S.
Sur, Mr. Harendra Kumar.
Tamizuddin Khan, Mr.
Yusuf, Ali Choudhury, Mr.

NOES—116.

Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr. (Khulna).
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Mosh).
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Asimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Md.
Barma, Babu Promhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Manmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Mazumdar, Mr. Niharendu.
Edbar, Mr. Upendranath.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Sarwar Hossini, Mr. Shah Syed.
Goswami, Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmad Choudhury, Alhadj
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hahem Ali Khan, The Hon'ble Khan Bahadur Maulvi.
Hashina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
McPherson, Mr. G. P.
Mahtab, Maharajadhiraja Bahadur, Uday Chand, of Burdwan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohibn Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukherji, Dr. H. C.
Musharruf Hossain, Nawab Khan, Bahadur.
Mustagawwal Haque, Mr. Syed.
Pettinger, Mr. G. U.
Pramanik, Mr. Tarinicharan.

Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Dhananjoy.
Roy, Kshirod Chandra, Rai Bahadur.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Safiruddin Ahmed, Haji.
Sanaullah, Dr.
Sanyal, Mr. Sasanka Sekhar.
Sarkar, Babu Madhusudan.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sinha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Speller, Mr. J. H.
Stark, Mr. A. F.
Waliur Rahman, Maulvi.
Yousuf, Mirza.

The Ayes being 61 and the Noes 116, the motion was lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 1,27,42,000 under the head "25—General Administration—General Administration" be reduced by Rs. 100 was put and a division taken with the following result:—

AYES—59.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Banerjee, Dr. Suresh Chandra.
Chattopadhyay, Mr. Haripada.
Das, Babu Radhanath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Farhad Raza Chowdhury, Mr. M.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Jalan, Mr. I. D.
Jasimuddin Ahmed, Khan Sahib Maulvi.
Maiti, Mr. Nikunja Behari.
Mal, Mr. Iswar Chandra.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukherji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K.C.I.E.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Sanyal, Dr. Nalinaksha.
Sen-Gupta, Mrs. Nellie.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Sinha, Srijut Manindra Bhusan.
Suhrawardy, Mr. H. S.
Sur, Mr. Harendra Kumar.
Yusuf Ali Choudhury, Mr.

NOES—102.

Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr. (Khulna).
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Wahab Khan, Mr.
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Amhed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.

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Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Azimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Sarwar Hossini, Mr. Shah Syed.
Goswami, Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, the Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Khan, Mr. Debendra Lal.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
McPherson, Mr. G. P.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohsin, Ali, Mr. Md.
Mookerjee, the Hon'ble Dr. Syamaprasad.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukherji, Dr. H. C.
Musharruff Hossain, Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Pottinger, Mr. G. U.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Dhananjoy.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanaullah, Dr.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Waliur, Rahman, Maulvi.
Yousuf Mirza.

The Ayes being 59 and the Noes 102, the motion was lost.

Mr. DEPUTY SPEAKER: Now I shall put the main motion to vote.

Dr. NALINAKSHA SANYAL: There is another motion, Sir.

Mr. DEPUTY SPEAKER: There is no time for that. We are meeting again in the afternoon.

Dr. NALINAKSHA SANYAL: It was my motion, Sir, about salaries of Ministers and Parliamentary Secretaries, about which you said you have made a slight modification with regard to the first part.

Khan Bahadur MOHAMMED ALI: Is it possible, Sir, for a motion to lapse without putting it to vote? The cut motions have been formally moved. We can go on for another 10 minutes, but they must be put to vote. You cannot apply the guillotine in this way.

Mr. DEPUTY SPEAKER: I am putting Dr. Sanyal's motion to vote.

The motion of Dr Nalinaksha Sanyal that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100 was then put and a division taken with the following result:—

AYES—60.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rashoed, Maulvi Md.
Abdus Shahoed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hosain Ahmed, Mr.
Ahmed Ali Mirdha, Maulvi.
Ahmed Hossain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Banerjee, Dr. Suresh Chandra.
Chattopadhyay, Mr. Haripada.
Das, Babu Radhanath.
Datta, Mr. Dhirendra Nath.
Deiui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Farhad Raza Chowdhury, Mr. M.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Jalan, Mr. I. D.
Jasimuddin Ahmed, Khan Sahib Maulvi.
Maiti, Mr. Nikunja Behari.
Mal, Mr. Iswar Chandra.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukherji, Dr. Barat Chandra.
Mullick, Srijut Ashutosh.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K. C. I. E.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Sanyal, Dr. Nalinaksha.
Sen-Gupta, Mrs. Nellie.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C. B. E.
Sinha, Srijut Maniudra Bhusan.
Suhrawardy, Mr. H. S.
Sur, Mr. Narendra Kumar.
Tamijuddin Khan, Mr.
Yusuf Ali Choudhury, Mr.

NOES—102.

Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr. (Khulna).
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Wahab Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi, Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed, Khan, Mr. Syed.
Alfazuddin Ahmed, Khan, Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim Khan Bahadur Md.
Asimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Prembari.
Barma, Mr. Puspajit.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhowmik, Dr. Gobinda Chandra.

Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mrs Surendra Nath.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Mazumdar, Mr. Niharendu.
Edbar, Mr. Upendranath.
Emdadul Haque, Kazi.
Faziul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Sarwar Hosaini, Mr. Shah Syed.
Goswami, Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, The Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M. B. E.
Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
McPherson, Mr. G. P.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lall.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukherji, Dr. H. C.
Musharruff Hossain, Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Dhananjoy.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanduliah, Dr.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed, Khondkar, Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Waliur Rahman, Maulvi.
Yousuf Mirza.

The Ayes being 60 and the Noes 102, the motion was lost.

The motion of Mr. Abdul Latif Biswas that the demand of Rs. 1,27,42,000 under the head "25—General Administration—General Administration" be reduced by Rs 100 was then put to vote.

Mr. DEPUTY SPEAKER: I think that the Noes have it.

Mr. TAMIZUDDIN KHAN: Division, Sir.

Mr. DEPUTY SPEAKER: I understood that an agreement had been arrived at and that there would be no more division.

Mr. ABDUR RAHMAN SIDDIQI: On a point of order, Sir. When a division is called I do not think it right for the Chair to say that as an agreement has been come to, it cannot be allowed. It is the right of a member to call for a division.

Mr. DEPUTY SPEAKER: Yes, it is the member's right, and if Mr. Tamizuddin Khan insists, I shall certainly allow it.

Mr. TAMIZUDDIN KHAN: I insist, Sir.

Mr. DEPUTY SPEAKER: All right.

The motion of Maulvi Abdul Latif Biswas that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100 was then put again and a division taken with the following result:—

AYES—41.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur, A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Attab Ali, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Farhad Raza Chowdhury, Mr. M.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Jasimuddin Ahmed, Khan Sahib Maulvi.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin Khawaja Sir, K.C.I.E.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Suhrawardy, Mr. H. S.
Tamizuddin Khan, Mr.
Yusuf Ali Choudhury, Mr.

NOES—97.

Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr. (Khulna).
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Wahab, Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Amiruliah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Prembari.
Barma, Mr. Puspajit.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhaumik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Mazumdar, Mr. Nibaronda.
Edbar, Mr. Upendranath.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Sarwar Hosaini, Mr. Shah Syed.
Goswami, Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, the Hon'ble Khan Bahadur Maulvi.
Hasina Mershed, Mrs. M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.

Joarder Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Sanku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, the Hon'ble Dr. Syamaprasad.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukherji, Dr. H. C.
Musharruff Hossain, Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Pramanik, Mr. Tarajsharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Dhananjoy.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanaullah, Dr.
Sanyal, Mr. Sasankar Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Waliur Rahman, Maulvi.

The Ayes being 41 and the Noes 97, the motion was lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Abdul Karim that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Adminstration" be reduced by Rs. 100, was put and lost.

The motion of Maulvi Muhammad Abdur Rasheed that the demand Rs. 1,27,42,000 for expenditure under the head "25—General Adminisration—General Administration" be reduced by Rs. 100, was then put and a division taken.

(During the interval when the division bell was ringing, the following discussion took place.)

The Hon'ble Mr. A. K. FAZLUL HUQ: I think, Sir, it is extremely unfair at least to me that these divisions are being called and the House is being asked to record their votes although I have not been given an opportunity of saying anything on them. I do not think any member of the Opposition would attribute any blame to me for my inability to explain the position.

Dr. NALINAKSHA SANYAL: Sir, the Hon'ble the Chief Minister cannot make any statement in the midst of a division: if he wants to do that, he can do so later on.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am only pointing out the difficulty into which I have been put.

Khawaja Sir NAZIMUDDIN: In view of the statement made by the Hon'ble the Chief Minister, I suggest that one speech in support of a particular motion be made from outside and let the Hon'ble the Chief Minister reply to it and then let the House divide

The Hon'ble Mr. SANTOSH KUMAR BASU: May I also point out that certain insinuations and libellous statements were made by a member of the Opposition and it is only fair that I should have a chance to clarify our position—(Tremendous cries from the Opposition benches) —It is a most scandalous and mischievous insinuation—(Loud noise again from the Opposition benches)—This sort of howlings will never help you in any way.

Mr. DEPUTY SPEAKER: If it is the intention of the Opposition to put all the motions to vote, it will be impossible for me to carry on the business of the House within the allotted time I want, therefore, to know definitely from the Opposition side whether they will put any other motion to division.

Mr. K. NASARULLAH: No, Sir, we will not take any other motion to division excepting this one only

Mr. DEPUTY SPEAKER: The Leader of the Opposition has suggested that there should be one speech by the Hon'ble the Chief Minister and one from the Opposition side, but it is not possible to do so now until I come to the main demand.

Dr. NALINAKSHA SANYAL: I think that would be the best arrangement.

The motion of Maulvi Md Abdur Rasheed that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100 was then put and a division taken with the following result:—

AYES—41.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed (Noakhali).
Abdul Motaleb Malik, Dr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Aftab Ali, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Farhad Raza Chowdhury, Mr. M.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).

Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K.C.I.E.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Suhrawardy, Mr. H. S.
Tamizuddin Khan, Mr.
Yusuf Ali Choudhury, Mr.

NOES—95.

Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr. (Khulna).
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Wahab Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Rauf, Khan Bahadur Shah (Rangpur).
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Altazuddin Ahmed, Khan Bahadur Maulvi.
Amir Ali Mia, Maulvi Md.
Anwarul Azim, Khan Bahadur Md.
Azhar, Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Griffiths, Mr. C.
Gupta, Mr. J. N.
Gyasuddin Ahmed Chowdhury, Alhadj.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, the Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Mcpherson, Mr. G. P.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maluana Md.
Maqbul Hossain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Mukherji, Dr. H. C.
Musharruff Hossain, Nawab, Khan Bahadur.
Mustagaswal Haque, Mr. Syed.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Taraldar, Maulvi.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Dhananjoy.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanaullah, Dr.
Sanyal, Mr. Sasanka Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Singha, Babu Ksbetra Nath.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Waliur Rahman, Maulvi.
Yusuf Mirza.

The Ayes being 41 and the Noes 95 the motion was lost.

The motion of Khan Bahadur Mohammed Ali that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Fazlur Rahman that the demand of Rs. 1,27,42,000 for expenditure under the head "25—General Administration—General Administration" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Sibnath Banerjee that the demand of Rs. 1,27,42,000 for expenditure under the head "25- General Administration—General Administration" be reduced by Rs. 100 was then put and lost.

The motion of Rai Sahib Anukul Chandra Das that the demand of Rs 1,27,42,000 for expenditure under the head "25 General Administration—General Administration" be reduced by Rs. 100 was then put and lost

The motion of Dr Nalinaksha Sanyal that the demand of Rs 1,27,42,000 for expenditure under the head "25- General Administration—General Administration" be reduced by Rs. 100 was then put and lost

The motion of Dr Nalinaksha Sanyal that the demand of Rs. 1,27,42,000 for expenditure under the head "25- General Administration—General Administration" be reduced by Rs. 100 was then put and lost.

The motion of Mr. A. M. Abdul Hamid that the demand of Rs. 1,27,42,000 for expenditure under the head "25 General Administration—General Administration" be reduced by Rs. 72,000 was then put and lost.

The motion of the Hon'ble Mr. A K. Fazlul Huq that a sum of Rs. 1,27,42,000 be granted for expenditure under the head "25—General Administration—General Administration" was then put and agreed to.

The House was then adjourned at 12-10 p.m. till 3-30 p.m.

Afternoon session.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 13th March, 1942, at 3-30 p.m.

Mr. Speaker (the Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur) in the Chair.

Mr. SPEAKER: Mr. Roy, I understand that there has been an arrangement that this debate might close at about 4-30.

Mr. KIRAN SANKAR ROY: We have no objection.

Mr. FAZLUL RAHMAN (Dacca): The debate may be closed at 5 o'clock, I submit, Sir.

Mr. SPEAKER: I want to keep half an hour margin.

Mr. YOUSUF MIRZA: Sir, I consulted the Leader of the Opposition and he has agreed to that.

Non-official Resolution.

Mr. SATYAPRIYA BANERJEE: Mr. Speaker, if I beg to move the resolution that stands in my name, viz., this Assembly is of opinion that persons convicted or detained by orders of the Government of Bengal under the Defence of India Act and Rules framed thereunder be immediately and unconditionally released, I do so not to embarrass the present Ministry but to strengthen its hand in its attempt, sincere attempt, at securing the release of the Defence of India Rules detenus and prisoners. Sir, we should never forget that the present Ministry has inherited an ignoble legacy from the past one and it will take some time before the debris of the acts of omission and commission can be cleared away by the present one, it will take some time before the wrong done by the ex-Home Minister, Khwaja Sir Nazimuddin, to whom unfortunately man existed for Government, can be undone, it will take some time before the way can be paved for creating an atmosphere in which his unfortunate successor the Hon'ble Mr. A. K. Fazlul Huq may demonstrate as he sincerely and earnestly intends to do, that Government exists for man, it will take some time before the Hon'ble the Home Minister with a heart can show his anxiety for the protection of the fundamental rights of the people which was so mercilessly trampled under foot by the ex-Home Minister Khwaja Sir Nazimuddin who has only a cavity full of fat without any heart in it.

Sir, if there is any question more than any other which is agitating the mind of the people of the country, it is the subject-matter of the present resolution, if there is one thing more than any other which demands the immediate attention of the Government and which brooks no further delay, it is again the subject-matter of the resolution before us.

Sir, while moving this resolution I take my stand on the teachings of political philosophy, utterances of great statesmen, lessons of British Constitutional history, I take my stand on the attitude of the Congress since 1897—the attitude of the Krishak-Proja Party in their election manifesto of 1936—the attitude of the Azad Muslim Board in their

recent sittings at Delhi, the attitude of the Hindu Mahasabha which is presided over by Mr. Savarkar—the man who suffered most from deprivation of civil liberty, I take my stand on justice, statesmanship and even upon that ill-omened word "expediency", and finally, I take my stand on the exigencies of the present war situation.

Sir, political philosophy teaches us that Government exists for man and not man for Government and Governments are constituted to secure the inalienable and inviolable fundamental rights of man, rights which have been acknowledged as such all the world over, rights which have been incorporated in the written constitutions of some country - but, alas! which have found no place in the Government of India Act of 1935—and which have been recognised as such in others having unwritten constitutions, namely, right to life, liberty, property, security, pursuit of happiness and right to resist oppression and when any Government becomes destructive of the ends for which it was established, it is the right of the people to alter or abolish it and to institute a new Government in this stead. Locke—one of the greatest of English political philosophers - says in his classic work on Government "The community perpetually retains a supreme power of saving themselves from the attempts and designs of any body, even of their legislators, whenever they shall be so foolish or so wicked as to lay and carry on designs against the liberties and properties of the subject". Abraham Lincoln, one of the greatest of American Presidents, who belongs to the world and, therefore, belongs to India, said in his inaugural presidential address "This country with its institutions belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it". Jennings a great English constitutional writer—in his very recent book "Parliament" writes: "British constitutional history is a story of resistance to oppression, often temporarily, unsuccessful but ultimately resulting in its abolition. Magna Carta, the Petition of rights, the Act of Settlement, the Habeas Corpus Acts bear witness to the legal devices that have been made to destroy oppression and maintain freedom".

Let me, Sir, descend from the heights of political philosophy and come nearer home. To us of the Congress the problem of release of the political prisoners detained without trial has been a perennial one. Ever since the arrest and deportation of Natu brothers of Poona in 1897 Congress has raised its most emphatic voice in no uncertain terms against the wanton application of these lawless laws, as the Defence of India Act and other similar laws undoubtedly are, whenever circumstances demanded it. Sir, I will not take up the time of the House by following chronologically the views of the Congress regarding this all-important matter.

I will come direct to the election manifesto of 1936. There it is laid down: "The Congress representatives in the Legislature will work for the establishment of civil liberty and for the release of political prisoners and detenus". The Krishak-Proja Party also in their election manifesto of the same year demanded the unconditional release of the detenus and political prisoners. It is only the other day that the Azad Muslim Board passed a similar resolution. The Hindu Mahasabha also has followed the footsteps of the Congress in demanding the release of the political prisoners. Thus, Sir, I am happy to be able to state that the main parties constituting the Progressive Coalition Party have all demanded the release of the political prisoners.

Sir, I will be doing injustice to myself and my comrades who are the victims of the Defence of India Rules if I do not refer to the opinion of one of the sublimest spirits that ever graced the ranks of humanity—I mean the opinion of Rabindra Nath Tagore, whose voice has been at this critical juncture of the nation's history hushed in silence for ever but who will go down to posterity as a poet of patriotism, prophet of nationalism, philosopher of internationalism, sentinel of justice and a lover of humanity. He said in 1915 with regard to the Defence of India Act of that year: "I am convinced that some of the noblest of our men have fallen victims to these rules only because they made themselves too conspicuous by their self-imposed mission of beneficence. I cannot but decry such a policy in the name of humanity and in the hope that such a policy, if against the traditions of British justice, I may move those in authority to come to the rescue even at the risk of prestige".

Let me, Sir, now deal with the Defence of India. Sir, it is as a result of the present war that the Defence of India Act has been enacted—it is an emergency measure for securing Defence of British India, public safety, the maintenance of public order, the efficient prosecution of war or for maintaining supplies and services essential to the life of the community. I do not deny that war is an extraordinary event and gives rise to extraordinary situation which may require extraordinary measures; but, Sir, in a matter affecting the civil liberties of the people—their happiness, their attitude towards the Government and the future relations between the Government and the governed, I cannot bring myself to believe that an executive officer, however highly placed he may be, should be armed with dangerous power shutting up respectable persons somewhere in some remote jails. Law which under all circumstances ought to be the security of the people, the guard which prevents the rulers from becoming tyrants, law which ought to be based upon justice, the object of which is to serve and secure that justice on which the stability of the society depends has been, Sir, under the provisions of Defence of India Act and Rules, a negation of that law which governs all laws, viz., the

law of humanity, justice and equity, and has become an instrument of oppression of the people, repression of their lawful activities and suppression of their civil liberties. Sir, what has been the offence of those persons who have been detained without trial? Certainly they have not committed any offence for which they might have been tried in a Court of law. Is this their offence that they belong to that rare class of humanity of whom the poet has sung: "জীবন মৃত্যু পায়ের ভৃত্য চিত্ত ভাবনা হীন?"

Is this their offence that they are those rare specimens of humanity who can with their heads erect proclaim "Give me liberty or give me death"? Is this their offence that they wish for nothing but to breathe in this land of ours, in common with their fellow-countrymen the air of liberty? Is this their offence that they have no ambition unless it be the ambition to break the chain of slavery and contemplate the glories of freedom? Is this their offence that they refuse to be satisfied so long as the meanest cottager in India had a link of the British chain clanking to his rags—he may be naked but shall not be in chains? Is this their offence that they are determined not to tolerate a power which has blasted the country of their birth for well nigh two centuries—a power which controls the destiny of their motherland from beyond the seas, a power which has shattered their looms, banished their manufactures and stopped the growth of the people, a power which has deliberately disarmed and emasculated the people thus making them an easy prey to foreign aggression, a power which even today is playing with the lives of the millions of our countrymen, a power which has sacrificed the happiness of the millions in India to bloat the pockets of a few capitalists at home, a power which even now refuses to part with power on the spacious plea that Siam and Denmark had power but were overrun by the enemies?

I have no doubt, Sir our Ministers feel as strongly and as intensely for the freedom of their country as their unfortunate fellow-countrymen who are in detention and they are as anxious as myself for their immediate and unconditional release. But it is said the Government of India Act stands in their way. Let me, Sir, examine the constitutional position in the matter. There is no vestige of foundation for the assertion that the Governor is entitled under the Act at his pleasure to intervene at random in the administration of the province. In the sphere of special responsibilities laid down in section 52 of the Act, the Governor will at all times be concerned to carry his Ministers with him; while in other respects in the field of Ministerial responsibilities it is mandatory on a Governor to be guided by the advice of his Ministers. If within the limited sphere of special responsibilities the Governor is unable to accept the advice of his Ministers the responsibility for the decision will be his and his alone. In that event the

Ministers bear no responsibility for the decision and are entitled, if they so desire, publicly to state that they take no responsibility for that decision or even that they have advised the Governor in an opposite sense. This being so, the Ministers are within their right to advise the Governor to release the persons mentioned in the resolution and if the Governor does not act up to the advice so tendered it is within their right, it is their duty to state their position publicly so that the people may be in a position to know the true state of affairs and not misjudge them regarding their attitude to this burning question of the day. Sir, in this connection I would like to make a fervent appeal to His Excellency the Governor to rise equal to the occasion, to rise to the stature of true British statemanship and to act in the spirit of the Royal Proclamation of 1919 wherein it was laid down: "A new era is opening.....I desire my Viceroy to extend royal clemency to persons who for offences against the State or under any special or emergency legislation are suffering imprisonment or restriction on their liberty."

I would, Sir, also like to recall to His Excellency's mind that scene in the British Cabinet so artistically described by Mr. Gardiner, the well-known journalist, when Campbell Bannerman who is known to India and Indians for his classic phrase "Good government is no substitute for self-government" carried his bold policy of granting constitutional government to the conquered states of South Africa. There had been many objections, hesitations, difficulties postulated. The old man rose and in a speech of only ten minutes' duration swept all before him by a fervour and nobility that made all objections mean and vain. It was the soul of freedom that spoke then Let, Sir, the soul of freedom speak through His Excellency now, let him sing the song of liberty now.

Sir, the members of the civil service have also a duty to perform in the matter of civil liberty. The members of the civil service here as also in England where at long long past as if by way of expiating the sins of the past they have formed themselves into a branch of the national civil liberties union are notorious for their aloofness from the life of the ordinary people whereas it is highly desirable, in the words of Professor Keith, that"the defence of liberty should be taken up with energy and conviction by those in the civil services who are believers in the essential value of civil liberty" and in the words of Professor Barker, an attitude of civil servants which is not only one of respect for the civil liberty of the public but also one of zeal on behalf of those liberties is an attitude we may all desire to seek and encourage—will it be in vain in this unfortunte land of our birth?

Sir, we have been told that a committee will be set up by the Government to examine the cases of security prisoners. We have

come to learn this morning from the Hon'ble the Finance Minister that this committee which ought to have been on the suggestion of the Government of India set up long ago was turned down by the ex-Home Minister, Khwaja Sir Nazimuddin, whose advocacy this morning for civil liberties of the people was even a sight for the gods to see. Sir, the value of such a Committee will depend upon its terms of reference, its personnel and on the opportunity afforded to the prisoners to place their case before them and to cross-examine their accuser. The committee, Sir, will be able to do very little justice on the dead records supplied to it by the Special and Intelligence Branches unless opportunities are offered to the accused to test the truth of these dead records. Let me, Sir, in this connection cite the historical case of Mr. Parnell, an outstanding figure in the history of the Irish freedom movement. Sir, Parnell was accused of taking part in the Irish revolutionary movement and a commission was appointed to enquire into the truth or falsity of those charges. Sir Charles Russel, afterwards Lord Chief Justice of England, conducted the case on behalf of Parnell. Everybody thought that Parnell was implicated in the Irish revolutionary movement. The principal witness was Mr. Piggot. The cross-examination by Sir Charles Russel was so crushing that the truth came to light—Parnell was declared innocent by the whole world. Piggot had to fly away to Spain to avoid prosecution for perjury and at last committed suicide. Sir, what was true in the case of Parnell is certainly true of my leader, Srijut Sarat Chandra Bose, who as the creator of the present Ministry will go down to posterity as the creator of a new Bengal and whose achievement in this regard will constitute a glorious and unforgettable matter in the history of the constitutional fight for freedom of the country but a victim nonetheless of the Defence of India Rules, and of the security prisoners, the subject-matter of the debate

Sir, we are on the threshold of a new era. Independence is in our grip, if only we stand united. Sir Stafford Cripps is being sent to India to examine, I was going to say, insult us by coming to examine whether we deserve it or not I do not anticipate whether he will tighten or loosen our grip. But let it not be said by the future historian that we failed to release the valient fighters for freedom when the call for freedom demanded their release,—let it not be said by the future historian that when the land they live in was threatened by danger of foreign aggression, the men who count, the men who are the most fitted to defend the country were allowed to rot in jails and detention camps because they had no control over the destiny of the land they live in.

With these words, Sir, I commend my resolution to the acceptance of the House.

Mr. K. SHAHABUDDIN: Sir, this afternoon is meant for non-official business and it was arranged to hold the meeting this afternoon at the special request of the Opposition and only 1½ hours' time has been given to this non-official business. It appears that in the non-official business of today the Opposition would not get any chance at all which, I submit, would be a great injustice to us in the Opposition. I hope you will close the debate on the present resolution as early as possible so that our resolution may be then taken up.

Mr. SPEAKER: I will consider the matter after the speech of Mr. Wordsworth.

Mr. W. C. WORDSWORTH: Mr. Speaker, Sir, I am charged to put before the House the view of this group and I am instructed to put it briefly, courteously and clearly, so clearly that no doubt can remain in any mind of what we feel, for this is a matter of vital importance and also it is a delicate matter in which few men speak with any eagerness. And it is necessary that when we speak we should put things as clearly as we can. What I have to say is that to this group Mr. Banerjee's resolution is untimely and dangerous, dangerous especially because it is untimely,—I speak of his resolution as it is, not as it may be modified by any changes or additions or subtractions that may be suggested during the course of the debate: I take the resolution as it is and without reference to anything that I may have heard about it. What the resolution contemplates as put before us is the immediate and unconditional release of certain prisoners that are ordinarily called security prisoners. Happily conditions and developments have put an end, we hope, to one distressing feature of our recent life. It has been found possible to release all Satyagraha prisoners and all others in detention under certain other categories. I think all such prisoners have been released except those who have been engaged or who have been found to be engaged in activities that would be subversive of an established Government or in activities likely to assist our, that is, the common enemy. In the circumstances in which we are, these two separate activities are two aspects of the same purpose. No one, I am sure, wishes to see kept in custody any man, young or old, whose offence or indiscretion is of a kind that may safely be overlooked in this crisis in our national life. Our one question should be what is necessary at present for the common welfare, that is, common security. So far as we know, these special prisoners are men whose detention has been found necessary because of activities that menace the common safety——

Rai HARENDRA NATH CHAUDHURI: Not proved activities.

Mr. W. C. WORDSWORTH: The Government of India with the enemy at the door cannot afford to have their attention to be taken up and their knowledge by men whose purposes or the consequences of whose actions will be the weakening of Government and the impairment of its will and efficiency. It is hard enough that a Government should at a time like this be afflicted by interests which for reasons of their own are lukewarm in their support for the country's efforts for defence. If a Government deliberately committed the common danger by releasing men who are known to be sympathetic and active against their country's defence efforts, it would, in our opinion, be guilty of levity. I say this subject to one reservation and qualification: are all these prisoners of a dangerous type? Of that few of us have knowledge. One member has just reminded me that we are dealing with hearsay, not knowledge. To me, a journalist, occasionally comes a little information that would escape if I worked in a different capacity. But I put it negatively. I know nothing to suggest that serious mistakes have been made in estimating the conduct that we are now considering and I know a little to suggest that Government has been at times right. I do not pretend to know much. The little knowledge I have I had from a very few of these men which does not matter much, and what I have said I have said with great caution. In some provinces a Tribunal has been set up to examine the cases of similar prisoners and I have been told today that that procedure is contemplated in Bengal. What we would say is this. Whatever care is possible to see whether any of our Bengal security prisoners are men who in this crisis will not use their liberty injuriously to the country's safety should be taken. No one wants to see a man held in detention who may safely be let out. When it is safe it is political wisdom in this sphere to let bygones be bygones. On the other hand not many want to see a man released who may be a danger at this critical time. If any more investigation is possible Government, we suppose, will make it. I do not know what Government intends. I speak without any knowledge of that and so far as I know my group has had no conversation with Government on this point. This group sets itself firmly against the proposal that by a vote in this House Government should be forced to release all the security prisoners without conditions. Government's first duty is for the general security that must not be sacrificed to any political consideration. Government must act responsibly and its hands ought not to be forced.

Dr. SURESH CHANDRA BANERJEE: Mr. Speaker, Sir, the enemy, as everyone knows, is at the very gate of Bengal. The problem of problems before us now is that of defence. Under "defence" there are two categories—military defence and civil defence. Over military defence we being a slave race have absolutely no control. So I must refrain from making any remark under that head, but over civil defence

we have some control and under that head Government contemplate spending about 4 crores of rupees this year. Of course, for us who spend annually 14 crores, 4 crores is a big sum, but for defence purposes this sum is nothing, and it is like a drop of water in the huge sea. If you look how this money has been estimated to be spent, you will find that the major portion of it would be spent for civil defence purposes in Calcutta and in the industrial areas around Calcutta. Practically nothing has been set apart for villages and those who are acquainted with war affairs know very well that when a foreign army—an invading army—marches across the country, villages do not suffer less than the towns and situated as we are we may fairly expect that the enemy will come—if it comes at all—from Burma across Assam or Chittagong to Bengal. If that happens, all the villages of Bengal will suffer terribly and there is no money to be spent for the defence of the villages. The villagers will be outraged, they will be panicky and all sorts of repression will be practised on these villagers, but there is none to look after them. There are, of course, the police, but we know that the police force is quite inadequate for the purpose. Then, Sir, who is there in the country to look after them and to stand by their side? It is only those people who have been either convicted and kept in jail or made security prisoners and detained in detention camps or interned in various places. These are the only men who have all along fought for the country and felt for their country and these are the only men whom the people of the country love and these are the people who will stand by their side. If these people are now kept inside jails or detained inside detention camps, I can tell you that however much you may think of the defence of this country, there will be no practical defence.

Sir, in this connection I may mention the case of Burma. We have heard from reports of expert military men that there was practically no defence of Burma and that was due to wide fifth-column activity and it has also been said that the Burmans did not feel at all for defence. How can they feel? During the war period Government kept two of their Premiers detained, a Home Minister was kept in detention and the Mayor of Rangoon was kept in detention. Can anybody think that the defence of that country could be carried on under those circumstances? Could there be any enthusiasm in the defence of that country after two Premiers, one after another, were kept in detention? Certainly not. And similar will be the result of Bengal, I tell you. However much you may speak of defence, there will be practically no defence until and unless these men, who have been fighting for the independence of their country from 1905 and 1906 and who have gone to jail not for committing any other criminal offence save and except that of struggling for the independence of their country, are released. If these people are not set at liberty, if these people whom the country love and in whom people have absolute faith are not set at liberty,

however much you may speak of the defence of the country, I can assure the House that there would be no defence, and the fate of Bengal, I am sorry to say, may be like that of Burma. So, if we really love our country, if we really think that Bengal should defend itself, and if we really think that Bengal villages should be looked after, the only course we can take recourse to is to set them at liberty.

Mr. Wordsworth has suggested that only those people should be set at liberty from whom there was no risk to the security of this country. I may tell him and I am sure he also feels that from these people there can be no risk to the security of this country. It is for the security of their country, it is for the independence of their country that they have all along been suffering. When their country will be overrun by the foreigners, it is these people who will protect their mothers, sisters and children. Mr. Wordsworth may rest assured that if these people remain outside, there would be no danger to the security of their own mothers, brothers and sisters. If we are really anxious for the security of our motherland, the sooner we release them, the better.

Sir, with these preliminary remarks, I would also like to say a few words about the men who have been detained or interned so that we may remove our doubts or apprehension, if there are any in our mind, that if we release them at all, some danger will accrue to our country. Sir, those who have been convicted may be classified under different categories. Some of these people are satyagrahis. I am sorry to say that the Hon'ble Chief Minister a few days ago in a statement before this House said that there are no satyagrahis in jail. I am sorry to say that that statement is not correct. There are at least 3 satyagrahis, if not more, in jail now. Their names are Niren Dutt, Upendra Nath Sarker and Priyanath Das. Niren Dutt is in Rajshahi Central Jail and Upendra Nath Sarker and Priyanath Das are in Faridpur Jail. Upendra offered satyagraha in the district of Faridpur and in the course of his offering satyagraha, he was served with externment order. Of course he violated it and was sent to jail and though technically he is not a satyagrahi, to all intents and purposes, he is a satyagrahi. Priyanath Das is an outright satyagrahi and there can be no danger from him. Mriya Ligam also sent a notice of offering satyagraha and after he sent his notice for satyagraha, an externment order was served on him and of course he disobeyed it and went to jail. There are others who are really satyagrahis and who are really followers of Mahatma Gandhi. There are others like him who, are wholly innocent and from whom there is no chance of any danger. Such men should at once be released.

Then there are men who have been prosecuted in connection with the Independence Day celebration for taking part in the celebration on the 26th of January. Asokananda Bose and Dhirendra Nath Chatterji of Bankura were prosecuted. They are Congress workers and have

been kept in the Bankura Jail. From Congressmen there is no risk of any danger and, therefore, such men can be released at once.

In Birbhum too there are also satyagrahis who have been prosecuted in connection with the celebration of Independence Day. One Radhanath Mandal of Ahmedpur has been arrested and released on bail of Rs. 200. I understand that warrant has already been issued against two other Congress workers of Birbhum.

Then there are some other satyagrahis who at the end of their imprisonment for offering satyagraha have again been arrested. One Surendra Mohan Ghose, the President of the Bengal Provincial Congress Party, has been arrested. There is no danger if such men are released. I submit that such men should be released at once.

Then about the security prisoners I want to say that they are either either Congress workers, socialists or communists, have given out and convicted people also there are socialists and communists. All of us, either Congress workers, socialists or communists, have given out and out support to the war efforts of the Government, and as a matter of fact they are holding meetings all over the country. They are passing resolutions in meetings also that "we should support the war effort of the Government in every possible way". I, therefore, think, that there is no reason why the communists should not be released at once. As for the Congress workers, I have already said, there is no chance of any danger from them. As for the socialists I want to say that they love their country, but they do not support any terroristic activities. So there is no risk of danger from those people either. I, therefore, submit that all the security prisoners, numbering about four to five hundred in Bengal, can be released without any fear of danger.

Then I want to speak a few words about the internees, as I myself was an internee up till yesterday. Of course it will sound strange, but it is true, that of all persons who suffer most internees come first. I will give a brief history. First of all three or four people, after the Defence of India Ordinance came into force, were externed from Bengal. Then there came a strike of the Calcutta Electric Supply Corporation. On behalf of the Company the Agent told the strikers that if they went back to their job, their grievances would be redressed. But strange to hear as soon as they went back to their work after three or four days, the strikers numbering about 49 or 50—workers of the Calcutta Electric Supply Corporation—were served with externment orders. Some of these workers had 30, 35 even 40 years service on their record, but by this order they have been deprived of their service. I moved several resolutions in this House asking whether any allowance will be given to these externed persons. These men have been externed, kept away from their place of occupation and no allowance was given to them. We are given to understand that if they are interned in their homes, they have got beautiful houses to live in, they have got

their food ready. So there is no necessity for giving them any allowance. Sir, I know that many of the middle-class people who are political leaders do not go to their homes. I know many persons who have not gone to their homes for the last 13, 14, or 15 years. As a matter of fact, I went home after a very long time. Everybody will be in difficulty if he is not granted any allowance. I got an allowance of Rs. 150. Therefore, I had no difficulty. But I know of many people against whom internment orders have been passed but no allowance has been granted to them. They are simply starving I can tell you. There are many such people. I, therefore, want to draw the notice of the present Ministry to such cases and suggest that they should go into those cases at once. I want to request them, fervently request them, to go into the case of workers of the Electric Supply Corporation. They were not political agitators. They had no connection with any political movement. They went on strike for dearness allowance and as a result they were externed for 4 or 5 years A most inhuman treatment has been meted out to them. I fervently request the present Ministry to go into thos cases.

I would also like to mention here another case of internment. One Pitambar Das of Midnapore, a devoted *khadi*-worker of Bengal, had been offering satyagraha for month after month giving notice to Government, but he was not arrested at that time. As soon as he discontinued offering satyagraha, he was served with an internment order. He is a *khadi*-worker. He has no connection with violence. Those who know him know how non-violent and devoted a follower of Gandhiji he is. Even to such people internment order has been given. As I know, these interned people and security prisoners and others are practically all innocent men and if Government go into these cases, I am sure, these people will be released without any fear of danger.

Mr. SPEAKER: I want to know the nature of the proceedings. I understand that it is the desire of the House that we should close the debate a little earlier for reasons perfectly known to you. If I can get a little time, I wish to speak a few words to-day, because it is very difficult for me to come as often as I would like. I understand there is another non-official resolution and I do realise that non-official days have been so few that we ought to utilise the full time at our disposal. I may, therefore, request Government to allow another afternoon for the discussion of non-official business, so that it might be possible for us to close the debate at 4-30 or 4-35.

Dr. NALINAKSHA SANYAL: Why not 5?

Mr. SPEAKER: I don't mind it.

Dr. NALINAKSHA SANYAL: There are two more speakers on our side.

Mr. SPEAKER: I am at your disposal. If you continue till 5-30 or 6 o'clock, I don't mind it.

Dr. NALINAKSHA SANYAL: We can dispose of this resolution and then stop.

The Hon'ble Mr. A. K. FAZLUL HUQ: May I make my position clear? After the discussion on this resolution is over, very little time will be left for taking up other resolutions. Therefore, it is absolutely necessary that at least one more day, I mean afternoon, should be given for the discussion of non-official resolution. If necessary, Sir, we will give two afternoons.

Dr. NALINAKSHA SANYAL: In that view we may stop at 4-30 keeping the voting on this motion held over and the debate may continue the next day.

Mr. K. SHAHABUDDIN: What I was suggesting about this is that we wanted a definite undertaking from the Government that another non-official day would be given.

Mr. SPEAKER: In view of the fact that there will be no voting to-day, I think it will be possible to close the debate a little earlier after one or two members have taken part in it.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir——

Dr. NALINAKSHA SANYAL: In that case would you kindly allow a member from this side of the House to speak?

Mr. SPEAKER: In a matter like this I do not want to stand in the way of anybody. I shall continue a little more if necessary—say, up to 4-30 or even more—but in view of the agreement I think it will be possible to adjourn earlier.

Khan Bahadur MOHAMMED ALI: We want to make the position clear. On the last occasion we were given to understand that this day would be in addition to another non-official day which might be at the end of the session. Are we to understand that the extra day that has been promised just now by the Government will be in addition to the day already promised before?

Mr. SPEAKER: The Hon'ble Chief Minister has already made that clear.

Mr. B. MUKHERJEE: Mr. Speaker, Sir, কোন দেশের রাজনীতিক স্বাস্থ্য অত্যন্ত আশঙ্কাজনক ভাবতে হবে, যদি সেই দেশে, প্রায় শতাব্দীর চতুর্থাংশ ধরে দুই চার হাজার দেশভক্তকে পাঁচ সাত বছর এক একবার করে—আটক রাখ্‌তে হয়। তাহলে বাস্তবিকই সে দেশের রাজনীতিক স্বাস্থ্য অত্যন্ত সঙ্কটাপন্ন মনে করতে হবে, বিশেষ করে যখন সেই দেশের নিরাপত্তা সম্বন্ধে আদৌ সন্দেহের অবকাশ ঘট্‌ছে। এই অবস্থায় গভর্ণমেণ্টের দিক থেকে একটা ডিনিয় বার বার আমাদিগকে বলা হয়, এই অজুহাত দেখান হয় যে তারা অক্ষম, কোন লোককে তার অপরাধ প্রমাণের জন্য open courtএ উপস্থিত করতে তারা অক্ষম, তার দোষ প্রমাণ করতে অক্ষম এবং এই অক্ষমতার মূল্য দিতে বাধ্য দেশের রাজনীতিক কর্ম্মী যারা, তারা। এবং সঙ্গে সঙ্গে বর্ত্তমান অবস্থায় দেখ্‌তে পাওয়া যাচ্ছে যে এই এক দিকে, এ বিষয়ে শুধু তারা অক্ষম, তা নয়,—অর্থের দিক থেকে তারা আরও অত্যন্ত বেশী রকম অক্ষম, যার জন্য বহু কর্ম্মীকে আজ আর তারা আটক করে রাখেন না। আটক করে রাখ্‌তে গেলে পর তাদের খাওয়াপরার ব্যবস্থা করতে হয়। তাই এবার এই নীতি দেখ্‌তে পাওয়া যাচ্ছে, গভর্ণমেণ্ট বেশীর ভাগ লোককে কোন না কোন প্রকার, কোন রকম একটা order দিয়ে দেয়—তারা যেন এই কাজ করে, এই স্থান বা এলাকা প্রভৃতি ত্যাগ করে অমুক স্থানে চলে যায়। তার অন্ন-বস্ত্রের সংস্থানের ভাবনা গভর্ণমেণ্টের দিক থেকে নেই এবং সেই লোকটা যে কি রকম করে চল্‌তে পার্‌বে, সে বিষয়ে তাদের চিন্তার প্রয়োজন নেই। এই double অক্ষমতা,—অর্থাৎ অপরাধ প্রমাণ কর্‌বার জন্য পুলিসের যা করা প্রয়োজন, সে বিষয়ে তাদের অক্ষমতা এবং অর্থের দিক থেকে—যাদের স্বাধীনতা অপহরণ করা হয়, তাদের জীবিকা অর্জন ও স্বাচ্ছন্দ বিধান কর্‌বার বিষয়ে—তাদের অক্ষমতা—এই double অক্ষমতার ভার বহন করতে হবে রাজনীতিক কর্ম্মীগণের এবং তার মূল্য দিতে হবে রাজনীতিক বন্দীগণকে। এই যে অক্ষমতা এ বাস্তবিকই অতি শোচনীয় অবস্থা এ বাস্তবিকই অত্যন্ত সাংঘাতিক ও গুরুতর আকার ধারণ করেছে। এই অবস্থায় আমার মনে হয় যে সর্ব্বপ্রকার রাজনীতিক বন্দিদের অবিলম্বে মুক্তি দেওয়া প্রয়োজন unconditionally। এবং শুধু যে Defence of India Ruleএ যারা বন্দী—তাদের কথাই কেবল বলছি না। আজ যদি সমস্ত বাংলার সমস্ত দেশের রাজনীতিক আব-হাওয়ার পরিবর্ত্তন নিয়ে আস্‌তে হয়, তাহলে আজ এই মন্ত্রী দলের যারা অন্ততঃ বিরোধী পক্ষে থাক্‌বার কালে যে হিসেবে এই প্রাক্-reform মন্ত্রীত্ব কালে Andaman prisoners প্রভৃতি সমস্ত বন্দীর মুক্তির দাবী করে ছিলেন—আজ অন্ততঃ তাদের কাছ থেকে আশা করতে পারি যে শুধু Defence of India Ruleএ যারা আটক তাদের নয়, সকলপ্রকার রাজনীতিক বন্দীর মুক্তি অবিলম্বে তারা দান কর্‌বেন। যুদ্ধের দরুণ দেশের বর্ত্তমান নূতন পরিস্থিতি সম্বন্ধে যদি তাদের মনোভাব লক্ষ করা যায় তাহলে দেখা যাবে যে এই সমস্ত রাজনীতিক বন্দীর অধিকাংশ, প্রায় সকলেই anti-fascist; যেমন বিশেষ করে আমি

বল্‌তে পারি, যে চট্টগ্রামের যে সমস্ত prisoners—যারা আটক আছেন চট্টগ্রাম (armoury) raid case সম্পর্কে—তারা বাংলার প্রধান মন্ত্রীর মারফত Bengal Governmentর মারফত জনসাধারণের নিকট যে নিবেদন পাঠিয়েছিলেন সেই নিবেদনে তারা পরিষ্কারভাবে ঘোষণা করেছেন এই যুদ্ধ সম্বন্ধে তাদের যে চিন্তাধারা এবং তার ভিতর দিয়ে তারা appeal করেছেন জনসাধারণকে বর্ত্তমান anti-fascist যুদ্ধে যোগদান কর্‌তে এবং people's war রূপে এই যুদ্ধকে পরিণত কর্‌তে। দ্বিতীয় কারণ—এই সমস্ত বন্দীদের মুক্তিদান কর্‌লে পর কোন প্রকারেই দেশের অবস্থা আশঙ্কাজনক হতে পারে নাকো—বিশেষ করে, আজকের দিনে যখন চট্টগ্রামের পরিস্থিতি অত্যন্ত ভয়ঙ্কর। সেই সময় আজ যদি গণেশ ঘোষ, অনন্ত সিং প্রভৃতি যারা সমস্ত চট্টগ্রামে সুবিখ্যাত, তাদের আজ যদি মুক্ত করে দেওয়া হয়, তারা আজ যদি চট্টগ্রামের জনসাধারণের মধ্যে যেয়ে এই যুদ্ধ সম্বন্ধে তাদের যে মনোভাব, সেই মনোভাব চট্টগ্রামের জনসাধারণের ভিতর প্রচার কর্‌বার সুবিধা ও সুযোগ পান, তাহলে সেখানকার রাজনীতিক আব-হাওয়া সম্পূর্ণ পরিবর্ত্তন হতে পারে এবং জনসাধারণের মধ্যে আস্থা ও বিশ্বাস আস্‌তে পারে এবং এই যুদ্ধ সম্বন্ধে তাদের কর্ত্তব্য কি, এ সম্বন্ধে স্থির নির্দ্দেশ তারা পেতে পারে। এই অবস্থায় আমি মনে করি যে even চট্টগ্রাম armoury raid caseর যে সব বন্দী, তাদের মুক্তিদান করা অবিলম্বে প্রয়োজন। যে সব বন্দী, তাদের মুক্তিদান করা অবিলম্বে প্রয়োজন। কিন্তু সব চেয়ে আশ্চর্য্যের বিষয়, মুক্তিদান ত দূরের কথা, যে সমস্ত ব্যক্তি যারা anti-fascist বলে নিজেদের পরিষ্কারভাবে ঘোষণা করেছেন, আজও তাদের বিরুদ্ধে Defence of India Rule ব্যবহৃত হচ্ছে। যেমন student—ছাত্রদের একজন নেতা ধীরেন রায় সে পাটনার ছাত্র Fiderationর সভায় পরিষ্কারভাবে anti-fascist resolution সমর্থন করেছিলেন—কলকাতার জনসভায়ও তার এই মত পরিষ্কারভাবে ঘোষণা করেছেন, অথচ তার উপর হল বহিষ্কারের order, যে order ১৯৪১ সালের ১৮ই December দেওয়া হয়েছিল এবং served হয়েছিল—১৯৪২ সালের January মাসে এবং তাতে যুক্তি দেওয়া হল—obstructing successful prosecution of war-efforts, যারা আজ পরিষ্কারভাবে war-efforts support করে প্রাণপণে জনসাধারণের মধ্যে এইভাবে চেষ্টা কর্‌ছে, তাদের যদি এই রকম বলা হয় যে তারা war-effortsএ বাধা দিচ্ছে, obstruct কর্‌ছে, তাহলে মাঝে মাঝে আমার মনে সন্দেহ জাগে যে আমাদের দেশের গভর্ণমেণ্ট বোধ হয় জাপান ও জার্ম্মাণীর মিত্রতা ভিতরে ভিতরে করে চলেছেন। তারা হয়ত সব চেয়ে বেশী—হয় তাদের নিজেদের বুদ্ধির দোষে বা অন্যপ্রকার কারণে এমন একটা অবস্থার সৃষ্টি কর্‌ছেন যাতে করে এই দেশে জাপান ও জার্ম্মাণীর সব যেয়ে বেশী সুবিধা হতে পারে। যারা তাদের বিরোধিতা ও প্রতিরোধ কর্‌বার জন্য শক্তি নিয়ে দাঁড়িয়েছে, আজ পর্য্যন্ত তাদের ব্যাহত করা হচ্ছে। সেইজন্য দেখ্‌তে পাচ্ছি—war-effortsর পথে এই দেশের গভর্ণমেণ্টই বাধা সৃষ্টি কর্‌ছেন। একটা দৃষ্টান্ত আপনাদের চোখের সামনেই রয়েছে—ডাঃ সুরেশ চন্দ্র ব্যানার্জি এবং আর একটা সেই রকম বলতে পারি—শ্রীযুক্ত সুরেন্দ্র মোহন ঘোষ। তার সঙ্গে আমি এক জেলে এক সঙ্গে

বাস কর্‌তাম। তার জেলে যাবার পূর্ব্ব পর্য্যন্ত Defence of India Rule তার উপর প্রযুক্ত হয় নি। তিনি যুদ্ধ আরম্ভ হবার.....বছর পূর্ব্বে সত্যাগ্রহ করে জেলে গেছেন। জেলে থাকা কালে এমন কি তিনি কর্‌লেন যে জেল থেকে বেরুবার পরই তার উপর Defence of India Rule প্রয়োগ করা হল! তিনি জেলে থাক্‌তেই রাশিয়া এই যুদ্ধে সংযুক্ত হয়েছে এবং আমি সুরেন্দ্র বাবুর পাশে পাশেই থাক্‌তাম এবং পরিষ্কারভাবে জানি, এর পর শ্রীযুক্ত ঘোষের মত এই যুদ্ধ সম্বন্ধে পরিষ্কারভাবে এই ছিল যে জনসাধারণের পক্ষে Alliesকে আজ সমর্থন করা উচিত। এই অবস্থায়, এই গভর্ণমেণ্টের পূর্ব্বে এবং এই নূতন গভর্ণমেণ্ট হওয়ার সময়ও যাকে জেলের ভিতর সত্যাগ্রহ করার জন্য আটক করা হয়েছিল, তাকে আবার পরে Defence of India Ruleএ আটকান হয়। বঙ্গীয় প্রাদেশিক কংগ্রেস কমিটীর প্রেসিডেণ্ট যিনি, তার একটা official position আছে কিন্তু তার উপর যে order প্রয়োগ করা হয়েছে, তা বর্ত্তমান গভর্ণমেণ্টের কালেতে। এই কারণে আমি অন্ততঃ মনে করি,—বর্ত্তমান কালেও এই গভর্ণমেণ্ট যে ভাবে Defence of India Rule চালিয়ে যাচ্ছেন,—উহার ফলে war-efforts সত্যই hampered করা হয়। Defence of India Ruleএর প্রয়োগ এই অজুহাতে হচ্ছে যে তা না হলে war-efforts hampered হবে কিন্তু আমরা পরিষ্কার ভাবে দেখছি যে যে রকম এর অপপ্রয়োগ হচ্ছে, যেন জার্ম্মাণ ও জাপানের আনুকূল্যের জন্য, তাদের সমর্থনের জন্যই এই Defence of India Ruleর সৃষ্টি হয়েছে। এই অবস্থায় বর্ত্তমান আমলাতন্ত্রের উপর আমাদের কোন প্রকার এতটুকু একটুও আস্থা নেই এবং C. I. D. reportর কোন মর্য্যাদা দেই না বা আস্থা রাখি না। এই অবস্থায় কোন ব্যক্তি সম্বন্ধে—আমাদের মত নয়—যে তাকে এইভাবে আটক করে রেখে দেওয়া যেতে পারে। অন্ততঃ সমস্ত বন্দীকে অবিলম্বে মুক্তিদান কর্‌বার পর যদি কোন ব্যক্তি সম্বন্ধে প্রকৃষ্ট প্রমাণ পাওয়া যায় যে সে pro-fascist এবং fascismর সমর্থক বা এই দেশে শত্রুর আক্রমণ কালে এই দেশকে বিপন্ন কর্‌বে বা এই দেশের প্রতিরোধ কর্‌বার শক্তিকে খর্ব্ব কর্‌বে, যদি তার প্রকৃষ্ট প্রমাণ পাওয়া যায়, তাহলে তার উপর আবশ্যক ব্যবস্থা সেই অনুসারে নেওয়া যেতে পারে। কিন্তু পূর্ব্বতন report যে সমস্ত আছে, সেই reportর উপর আস্থা স্থাপন করে কোন প্রকার রাজনৈতিক বন্দী সম্বন্ধে কোন রকম ব্যবস্থা করা চলে নাকো। একটা জিনিষ বল্‌লে বুঝতে পার্‌বেন। শ্রীযুত সতীন্দ্র নাথ সেন—তিনি বাংলাদেশের একজন বিখ্যাত কর্ম্মী। তিনি relief work করছিলেন। যেহেতু বরিশালের কর্ত্তৃপক্ষের সঙ্গে তার বনিবনা ছিল না, অতএব সেই relief কর্ম্মীর উপর Defence of India Rule প্রয়োগ করা হল। এই প্রকার Defence of India Ruleএর প্রয়োগ নানাভাবে—কোথায়ও আমলাতন্ত্র শাসকদের নিজেদের সুবিধার জন্য, কোথায়ও বা দলগতভাবে কোন সুবিধা বা অসুবিধার জন্য—এই Defence of India Ruleএর প্রয়োগের অপব্যবহার এমনিভাবে চলেছে, যাতে করে এটা একটা উৎকট প্রহসনে পরিণত হচ্ছে। শ্রীযুত সত্যরঞ্জন বক্সি, শরৎ চন্দ্র বসু সম্বন্ধেও আমি একথা বল্‌তে চাই যে এদের সম্বন্ধে এই গভর্ণমেণ্টের দায়িত্ব ও কর্ত্তব্য নিশ্চয়ই ছিল।

শ্রীযুত শরৎ চন্দ্র বসু সম্বন্ধে বলা শক্ত কারণ Bengal Governmentর এ বিষয়ে কোন দায়িত্ব নেই। কিন্তু আমার মতে আজ অন্ততঃ এই গভর্ণমেণ্ট, এই মন্ত্রীসভার কর্ত্তব্য যে প্রত্যেক—যে কেউ বন্দী হয়, তার সম্বন্ধে তাদের policy পরিষ্কারভাবে জানাবেন। সেদিন Councilর একটী প্রশ্নের উত্তর শুনে আমি অবাক হয়ে গেছি। গভর্ণমেণ্টের তরফ থেকে বলা হয়েছে, এই সমস্ত যে লোককে বন্দী করা হয়, সে সম্বন্ধে Home Member বা Ministerদের consult করা হয় না। এক একজন ব্যক্তির স্বাধীনতা হরণ করা হয় অথচ যারা law and order জন্য দায়ী হয়ে রয়েছেন, তারা সে বিষয়ে consulted হন না, এই অমর্য্যাদা আজ পর্য্যন্ত মন্ত্রীগণ কি করে বহন করছেন, এটাই সব চেয়ে বিস্ময়ের কথা। এটা অবশ্য জানতে আপনারা পারছেন এই Government of India Actএ এমন কিছু পাওয়া যায় নি, যাতে করে একে আমাদের গভর্ণমেণ্ট বলতে পারি। যা আসল ব্যাপার—fiscal autonomy—তার বাষ্পমাত্র আমাদের হাতে নেই, একমাত্র জিনিষ যা পেয়েছি, সেটা law and order—পূর্ব্বতন শাসক সম্প্রদায়ের যে শাসনতন্ত্র আমাদের উপর সর্ব্বসময় উদ্যত হয়ে রয়েছিল, সেই শাসনতন্ত্রের প্রয়োগের ভার আমাদের ঘাড়ে এসে পড়েছে। কিন্তু আজ মন্ত্রীমণ্ডলী জনসাধারণের বিশ্বাসভাজন কি না, তা জানবার জন্য একমাত্র উপায় সেই শাসনতন্ত্র তারা কি ভাবে পরিচালনা করছেন। এখানে আমরা দেখছি আজ পর্য্যন্ত তারা পূর্ব্বতন আমলাতন্ত্রের যে পদ্ধতি তাই প্রয়োগ করছেন বা তাদেরই পদলেহন করে চলেছেন। আমরা জানি Popular Ministryর সব চেয়ে বেশী প্রয়োজন—Bureaucracy যে গভর্ণমেণ্ট, তার পূর্ব্বতন যে পদ্ধতি বা policy তাতে বাধা দেওয়া, তার প্রতিরোধ করা এবং তা যদি হয় তাহলেই তারা দেশের শান্তিশৃঙ্খলা রক্ষা করতে পারবেন—বিশেষ করে আজকে এই বিপদের দিনে। তাই গভর্ণমেণ্টের পক্ষ থেকে যে প্রস্তাব আনা হয়েছে, আশা করি সেই প্রস্তাব তারা সর্ব্বান্তিকরণে সমর্থন করবেন। আজকে যদি তারা একটা কমিটী করে ছেড়ে দেন, তাহলে পর আমরা বেশী কিছু আশা করি না। গত বারেও কমিটী হয়েছে। বাস্তবিকই যদি তাদের ছাড়তে চান—তারা একটা statement দিতে পারেন এবং তাদের policy declare করতে পারেন। এবং বিভিন্ন দলের নেতৃবৃন্দকে ডেকে তাদের সঙ্গে পরামর্শ করে, অবিলম্বে তাদের কাকে কাকে ছাড়া যায় তার ব্যবস্থা করতে পারেন।

Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, Sir, the hazard of the ballot has thrown up this resolution at a very opportune moment. Those who have read the first leading article in the *Statesman* newspaper to-day (Dr. NALINAKSHA SANYAL: And Friend of India!) must have felt that its editor, who sometimes strays into sense, has again lapsed into his old frame of mind. At this hour of peril, at this hour when Mr. Wordsworth, who is also editorially connected with the *Statesman*, has said that the enemy is at the door, an article of the kind that was written is, I think, a criminal offence and an incitement to violence. (Dr. NALINAKSHA SANYAL: Apply the Defence of India Rules upon him.) I cannot help recalling a story that Michael Collins

recorded in his famous book: A certain high military officer had given orders to shoot at sight; and a certain member of the Sein Finn party met him, saluted him and pointed his revolver at the officer and said, "You, Sir, have ordered, 'Shoot at sight'. I shoot at sight." Sir, this is the kind of terrorism that has been preached by the *Statesman* newspaper.

Sir, I recall that on another occasion before the Chittagong riots in 1931 the *Statesman* newspaper systematically day after day published articles provoking people to commit violence, and violence did come in the end. Sir, the most responsible leaders of public opinion of the time openly said, here across this road, in the Town Hall, even at the risk of prosecution that one of the factors which contributed to the Chittagong atrocities were the provocative articles that had been written in the *Statesman*. I sound a note of warning to newspapers, Sir, that if their promoters, proprietors and editors want really to help the defence of our unfortunate land, they should ally themselves with Indian opinion and Indian feeling and ally themselves even with the people with whom for political reasons they have pretended to disagree—and there we come to the political prisoners. The continued detention of the security prisoners will not save the British Empire—but released security prisoners might help us to save India.

Mr. SPEAKER: I think this resolution should be carried over to the next day, and I have received an assurance from Government that after we close this resolution Government will see that the second resolution comes on that day.

Dr. NALINAKSHA SANYAL: Sir, before that second resolution, I submit, the resolution regarding the Assembly Department should come first.

Mr. K. SHAHABUDDIN: Sir, what I apprehend is that our resolution might not come at all.

Mr. SPEAKER: All I say is that I have received an assurance from the Government that the second resolution as tabled by the Opposition will be taken up on the next day, and as such Government will see that that resolution comes on that day.

Felicitations to Mr. Speaker.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, from the discussion on the subject of release of political prisoners may I turn to you, Sir, a political prodigy to offer you our sincere felicitations on your

new appointment. Sir, it is with feelings of the deepest respect that I refer to your impending departure from our midst to take up the onerous duties of the High Commissioner for India. To us, Sir, in Bengal it is a matter of legitimate pride that the choice of His Majesty's Government has so often fallen on Bengalees, and to us, the Muslims of Bengal, it is a matter of particular felicitation that you have been chosen to fill that responsible post. Yours has been a sort of meteoric career. I am enabled to say from personal knowledge how sure has been your stride towards the attainment of the various honours which you have earned within a very short space of time. As a member of the old Legislative Council, as a Minister, as Speaker of this Assembly and twice as Vice-Chancellor of the Calcutta University you have given abundant proof of not merely abilities of an exceptional character but also tact, forbearance, assiduity and application to the duties of whatever posts you have been called upon to fill. We have not the slightest doubt that you will adorn the new post of High Commissioner for India.

Sir, momentous political changes are coming and there is absolutely no doubt that the India of the future will be not merely an independent Dominion of the British Crown but also be an equal partner with all the Dominions which form the British Commonwealth. From the position of a High Commissioner you will be rather the Ambassador of India to Great Britain and I hope it will be reserved for you to have the honour of being the first Indian to occupy such a dignified position.

To us, Sir, it will be a very great loss. We will remember when you are away thousands of miles from us how you have managed the affairs of this Assembly to acquire the confidence of all sections of the House and how you have successfully carried the debate so as to build up conventions for your successors in future. We all wish you well.

You know, Sir, my connection with you dates for more than 30 years. I made your acquaintance quite accidentally when you were a student with a book of essays in your hand and I remember how on a certain subject you and I began to exchange controversial words and how without knowing who I was you threatened that we should be taught how to appreciate the feeling of young men. Sir, although you have not grown old you can now recall the days of your youth and you know how personally I became attached to you from the very moment we made our acquaintance. Personally, therefore, I give you my best wishes and you may be quite sure that I will always remember you with affection and my best prayers to Almighty will be that He may keep you in His safe keeping, guide you in a manner which will redound to your honour and to the honour of your country and that you may be spared long to serve our country not merely in far off England but to come back to India full of even higher honours to fill still higher posts with distinction.

Sir, with these few words I wish you godspeed and I pray to the Almighty Providence to spare you to come back again to India to serve your own motherland.

Khwaja Sir NAZIMUDDIN: Sir, we wish to convey our sincere felicitations to you on the eve of your departure to England to occupy the very high and responsible post of High Commissioner for India. Sir, we feel particular pleasure and pride in the fact that you were returned to the Assembly on the League ticket and since you have been elected as the Speaker of this House, the first Speaker of the Legislative Assembly, you have made a name for yourself not only in this province but all over India. Particularly, Sir, your rulings, I am sure, have been appreciated not only in this House but some of your rulings have been quoted in other Legislative Assemblies and Buildings, and the way in which you have discharged the responsible duties of the Speaker and the example that you have set, I am sure, your successors will emulate and follow.

It is also a matter of pride to us that you are, I believe, the first Bengali Muslim who has been appointed to the post of High Commissioner and we are confident that as in all other spheres of activities you have made a name for yourself, in England also you will make a name for yourself and, as the Hon'ble Chief Minister has said, will come back to India with higher honours.

Mr. KIRAN SANKAR ROY: Mr. Speaker, I associate myself and members of the Congress Assembly party with the sentiments expressed by the Leader of the House and the Leader of the Opposition. You, Sir, by your knowledge of the rules and orders of this Assembly, by your experience, by your quick decision, by your firmness, have rendered valuable services to this House and, Sir, your absence will be a great loss to this House. Sir, as one belonging to the party which gave you some unquiet time, I am free to confess to-day that there was nothing personal about it and I am glad to be able to say that after the heat and the controversy of the time had subsided no bitterness was left on this side of the House. Sir, I wish you a safe voyage and a prosperous career in England where you are going to enter your new field of activity.

Mr. DAVID HENDRY: Mr. Speaker, Sir, farewells are an inevitable part of life, but we need not treat them always as occasions for sadness. Rather as on this occasion I think should they be cause for satisfaction, at friendships made and associations recorded.

I must confess, however, to a feeling of regret at bidding you goodbye on behalf of my colleagues and myself for during the period you have been Speaker of this House we have formed for you not only a high degree of respect but a high degree of friendship as well. This House will not be quite the same without you. As its first Speaker, guide, comforter and friend, you have not only made history in Bengal but have made a number of personal friends as well. For over 12 years you have been associated with the Bengal Legislature in one form or another, and since you became the Speaker of this Assembly your wide knowledge of constitutional law and parliamentary practice has enabled you to guide us in building up our own parliamentary procedure in the light of our own experience and not by following rigidly the procedure and practices of other legislatures. We in this House owe you a great debt for the manner in which you have discharged the function of laying so soundly the foundations of parliamentary procedure under Provincial Autonomy. Your unfailing courtesy to members of this House has always been a pleasure to observe, and the constant protection you have offered and extended to each and every one of us has left no cause, at any time, for any feeling of dissatisfaction to any member of having been unfairly treated. Complaints there may have been, but they could only be due to the fact that at times your patience with the more unruly members of the House had outlasted our own. There have been stormy debates in this House, in plenty but you have conducted these with tact and skill; and the manner in which you have dealt evenhanded justice as between Government benches and the Opposition benches has always excited our admiration. In the same way we have admired the manner in which from time to time you have handled with skill and expedition long lists of amendments to difficult Bills; and if this province has to-day to its credit a good record of beneficial legislation, a great deal of that is due to you and the way in which you carried it through. Your public services have been mentioned, but I will not enter upon that here. The interest that you have always shown in the educational, economic and social problems of Bengal needs no mention from me, and the honours which have been bestowed upon you are but a modest indication of the debt under which you have laid this province. My group shares with the other speakers who have spoken to-day the pride which Bengal feels that you have been chosen for the extremely important office of High Commissioner for India. That high ambassadorial office, I feel certain, you will fulfil with dignity, skill and grace. And on the important mission on which you are setting out I wish you godspeed, the fullest measure of success and in due course happy return to this your homeland.

Maharaja SASHI KANTA ACHARYYA, of Muktagacha, Mymensingh: Sir, on behalf of the Progressive Nationalist party I offer you

our hearty congratulation for the honour conferred upon you. I shall not waste the time of this Assembly by saying anything about your ability but by saying we wish you the best of health and the best of luck.

Mr. W. C. WORDSWORTH: Mr. Speaker, Sir, Mr. Hendry has spoken for our Group and in associating with him in a few words I do so for the very special reason that in wishing you happiness and success in England I speak to one with whom long ago I stood in a very special relationship and one whom I had the distinction of teaching in a college of which you and I and many other members of the Legislature are proud of being members.

Mr. SPEAKER: Fellow members of the House, I have come in your midst to-day in circumstances fully known to you. In ordinary circumstances I would probably have left this country in a day or two but due to terrible overwork and continuous strain for months past, I had to leave you on Monday last with fever on, and for an attack of illness the programme of my departure for England had to be slightly changed and as at present my intention stands I hope to leave you in about a fortnight's time. I had the honour and privilege by your suffrage to be elected the Speaker of the House in April 1937—just about five years back. The new Constitution had just begun and I was immediately faced with the responsibility of placing your work and your office organisation in proper order and shape. We had then very little staff—nothing more than the old staff of the Council Department, extremely meagre, inadequate in every sense of the term and it was in the midst of these circumstances that I had to work on your behalf, so that we might function as a legislature truly and properly in the interest of millions of people entrusted to our charge. I was determined that whatever may be the volume of work entailed on us, the work of the Assembly must not be dislocated for a single day under any circumstances. Providence alone knows the difficulties under which we had to organise our work and to-day I am at least happy to feel that during the last five years there has never been any occasion in which the Assembly as a whole had any difficulty on our account. This Assembly may well be proud of its legislative work in spite of political stress and storm. But all these added to my other work have visibly affected my health and for some time past I have been feeling the strain and nature is telling upon me far too often to warn me that I should take a little care of my health. I have been advised that I must take some rest to strengthen myself physically before I undertake a long and arduous journey that is in my front. That is my reason why for 10 or 15 days I want to take rest though I may say that I shall be here in Calcutta or near about and if there is any occasion or if exigencies demand my presence, so long as I am

in India I shall always be at your disposal and at your beck and call. May I hope and trust that you will kindly bear with this even if it may create some difficulty.

The Speaker of the Assembly has to discharge two functions. He has to carry on his duties in the Assembly and to dispose of all matters which are likely to come before it or in consequence of matters brought before the Legislature or such other matters. Here he has got absolutely his own judgment and he has to rely upon his own guidance subject to the provisions of the Government of India Act and the rules framed by this House and the traditions of parliamentary institutions. For the last five years I had with devotion and zeal tried to discharge my duties with the help of my staff, particularly the Secretary and other gazetted officers in this Assembly. In all my acts I have never had any one except reason wherever I have found to influence my judgment. Never in my life have I tried to hide my fault and if I felt it at any moment that I had been wrong, I have always frankly amended and modified it. You are aware of the fact that I have never been stubborn in my views and there have been occasions in which I have revised my judgment. It is in this way I have tried to build up traditions to get conventions grown and to have codes framed for us both within ourselves and outside. At the early stage of any institution and specially a parliamentary institution, it is my humble opinion that the Speaker should function in a manner that will admit the best of reasons and the best of considerations at every moment. You are, therefore, aware that motions which had been rejected in files had been admitted on the floor of the House and I do hope and trust that it is in that spirit that you will also function and develop sound parliamentary institutions in this country. At the same time I am frank enough to say that no one man can by himself bring about the best state of affairs. Every one of you is an integral part of this great parliamentary institution and I hope you will more and more realise that as a member of the Legislature whether inside Government or outside you are individually and collectively responsible for our great obligations. The second function which the Speaker has to discharge is in connection with the administrative work of the Assembly Department, and here under the constitution as it at present stands the financial responsibility of every expenditure in connection with the Assembly is with the Government and it is the Government which has to submit budget proposals to this House and has to explain its reasons and justifications. It is in these circumstances that the Speaker has to administer his Department under rules framed by the Government. Here he is often powerless at points where he may come into conflict with the views of Government. I propose to write to you later in full as to the lines on which the Assembly Department should work and to place my experience before you so that you might at a time when I shall not be the Speaker consider the whole question

on its merits. There are, however, two questions to which I would like to draw your special attention, namely:—

(1) that the status of the Department and of its officers should be exactly the same as those in the Secretariat, and

(2) that the pay and prospects of the Assembly Department staff should in no way be inferior to those working in other Departments directly under the control of Government. I do hope that you will kindly consider this matter as early as possible.

May I also state one other matter. For the last 5 years I have tried to build up the working of the Assembly Office as belonging to this House and even though in administrative matters we have to accept Government rules I have all along worked towards the ideal that it is to this Assembly that it should ultimately be responsible and that it must function keeping this House in front to build up parliamentary traditions. Let us remember that a very large part of our success depends on the genuine devotion and work by the office staff and I do honestly, frankly and unequivocally admit, how much I owe to the office staff with whom I have worked for the last 5 years. They work in silence and they work behind the knowledge of others and their work does not appear before the public gaze. Let us remember that they are also human beings and that they have to work often from morning till evening and even sometimes till midnight. I can assure you that they belong to you and that they work with devotion and zeal, day and night, at the sacrifice of their health and comfort. I feel deeply personal grief in parting company with the staff of the Department and you all. I speak in no conventional sense but with my humble experience in various spheres of life, I can say I have hardly come across a better and a more devoted band of officers and men, devoted honestly and devoted sincerely, than the staff of the Assembly Department—be he an orderly, a menial, a clerk or a gazetted officer of this Department and if I have got anything to say it is that I leave them to your charge, to your responsibility, individually as well as collectively, and I do hope and trust that you will look after them. My personal responsibility is all the greater; many of them I brought here and I cannot leave them without discharging this duty of mine.

About 15 years ago, I came to the Legislature of this Province and I shall leave you all with the deepest sense of pang in me. I have all along been working with the view in me that this great province, whether we sit on the right or on the left or in the midst, is our trust and millions of human souls have to depend upon our activities here. I have always tried to uphold the tradition that whatever might be the nature of the democratic constitution, a democratic institution can

only function if the Speaker in the Assembly stands for the Opposition, ready to help them and stands for the rights of the minorities so that their voice might be heard. While the majority has the power of the vote, the voice of the minority must be heard. It is in that way that parliamentary traditions have been built up and I do hope and trust that those traditions will be followed here also.

I wish I could always keep a map of this province of ours hung up in walls or better still hung up in our mind. I have always been deeply conscious of the help and assistance that I received from each and every one of you. I have all along worked with the single aim of loyalty to the House, loyalty to you all and loyalty to the great parliamentary traditions which have been built up in other places but whatever may have been done by me, if they are of any value, it had been possible by your help, guidance and assistance and your efforts to bring about the best state of affairs in this great province of ours.

Members of the House, you have all referred to my personal work. The Hon'ble Leader of the House has spoken of my association with him, which dates from 1915. I was a student under Mr. Wordsworth and I learnt my lessons in the political theories or theories of Governmental institutions from him. To-day my heart is too full. I do feel every moment that I have to leave you and you are uppermost in my mind. The last word which I would say I shall say not as the Speaker of the House but by stepping down from this Chair; I say, Brethren and friends, I am only a human being. On this day, I beg of you to pardon me if I have done any one of you any wrong. I have not done it purposely with a view to offending anybody It is in that human spirit that I beseech your blessings and good wishes.

Adjournment.

It being 5 p.m.—

The House was adjourned till 8-30 a.m. on Saturday, the 14th March, 1942, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the Provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Saturday, the 14th March, 1942, at 8-30 a.m.

Present:

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 8 Hon'ble Ministers and 192 members.

STARRED QUESTIONS

(to which oral answers were given)

Internment of a prominent League worker of Gunabati, Tippera.

*152. **Khan Bahadur ABIDUR REZA CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that Maulvi Abdul Matin of Gunabati, Tippera, was home-interned for 15 days?

(*b*) If so, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Will the Hon'ble Minister be pleased to state whether any circular has been issued to the District Magistrate for the application of the Defence of India Rules in cases of Muslim League workers?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) and (*b*) I refer the honourable member to the answer given to starred question No. 93, on the 27th February, 1942.

(*c*) No.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether he approves the application of the Defence of India Rules in such cases as have been applied, namely, in the case of Maulvi Abdul Matin Chaudhuri?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have nothing to say except that I have no reason to believe that the District Magistrate acted in an unreasonable manner.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister be pleased to state whether he considers the application of the Defence of India Rules in the case of Maulvi Abdul Matin Chaudhuri right or wrong?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have nothing more to say except that no complaint has been made to me and, therefore, I have no reason to believe that it was not right.

Mr. Syed ABDUL MAJID: Will the Hon'ble Minister be pleased to state whether it is not a fact that Maulvi Abdul Matin Chaudhuri of Gunabati was arrested just before the Hon'ble Minister's visit to Tippera?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not remember when the incident did take place.

Maulvi ABDUL LATIF BISWAS: With reference to answer (*c*), namely "No", will the Hon'ble Minister be pleased to state whether the Circular was issued by Dr. Syama Prosad Mookerjee who figured as the *de facto* Chief Minister?

Mr. DEPUTY SPEAKER: That question does not arise.

Mr. CHARU CHANDRA ROY: May I ask through you, Mr. Deputy Speaker, my friends opposite whether it is not a fact that these rules had so long been used against us by the members of the Muslim League in the previous Government?

(No reply was given.)

Arrest of some persons in certain districts of Bengal.

*153. **Mr. MIRZA ABDUL HAFIZ:** Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) the number of persons arrested under the Defence of India Rules in the districts of Faridpur, Jessore, Noakhali and Comilla in 1942;

(*b*) the number of them that are League workers;

(*c*) the reason of their arrest; and

(*d*) whether they have since been released?

The Hon'ble Mr. A. K. FAZLUL HUQ:

(*a*) Faridpur—2.

Jessore—Nil.

Noakhali—Nil.

Tippera—11 (including 1 arrested at the instance of the Superintendent of Police, Faridpur).

(*b*) Four in Tippera only.

(*c*) and (*d*) In respect of persons mentioned in (*b*)—three for an offence under the Defence of India Rule 56 (contravention of an order requiring permission to be obtained for taking out a procession); they are now at large: and one for an offence under Defence of India Rule 38 (prejudicial speech); he is now on bail under trial in Faridpur.

Khan Bahadur MOHAMMED ALI: With reference to answer (*b*), will the Hon'ble Minister be pleased to state if the procession was of the nature of a demonstration against the Ministry?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not think so.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state what was the nature of that procession for which these persons were prosecuted under the Defence of India Rules?

The Hon'ble Mr. A. K. FAZLUL HUQ: Procession is a collection of persons for a particular purpose

Khan Bahadur MOHAMMED ALI: What was the object of the procession?

The Hon'ble Mr. A. K. FAZLUL HUQ: The object of the procession was to create disturbance

Khan Bahadur MOHAMMED ALI: What was the nature of the slogans shouted?

The Hon'ble Mr. A. K. FAZLUL HUQ: All kinds of nonsense.

Khan Sahib HAMIDUDDIN AHMAD: Will the Hon'ble Minister be pleased to state what are the reasons for making any discrimination between Muslim League workers against whom action has been taken under the Defence of India Rules for taking out a procession whereas no action has been taken against the Hindu workers who took out a procession without any permission——

Mr. DEPUTY SPEAKER: Order, order. No argument is necessary when putting a supplementary question.

Mr. Syed ABDUL MAJID: Will the Hon'ble Minister be pleased to state the name of the person who was arrested under the order of the Police Superintendent of Faridpur, with reference to his reply "one for an offence under the Defence of India Rule 38 (prejudicial speech)"?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have not got the name but if my friend wants it I can supply it later on.

Mr. Syed ABDUL MAJID: Will the Hon'ble Minister be pleased to state whether it is not a fact that Maulvi Fazlul Kader Chaudhuri was arrested under the Defence of India Rules for an alleged prejudicial speech under the orders of the Superintendent of Police, Faridpur, at Tippera.

The Hon'ble Mr. A. K. FAZLUL HUQ: He was arrested under orders of the district authorities—District Magistrate or Superintendent of Police I cannot say,—but he was arrested somewhere outside Faridpur.

Mr. Syed ABDUL MAJID: Will the Hon'ble Minister be pleased to state if any order was passed by Government or any communiqué issued by Government for withdrawal of all cases against students?

The Hon'ble Mr. A. K. FAZLUL HUQ: Orders were passed by Government for withdrawal of all cases against students in cases where prosecutions have been launched under the Defence of India Rules throughout Bengal.

Mr. Syed ABDUL MAJID: Will the Hon'ble Minister be pleased to state if it is a fact that Fazlar Kader Choudhury has since been convicted and fined Rs. 200 under the Defence of India Rules?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not know.

Meeting at Hajiganj, Tippera, on 23rd January, 1942.

***154. Khan Bahadur ABIDUR REZA CHOWDHURY:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that a meeting was held at Hajiganj, Tippera, on the 23rd January, 1942?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether it is a fact that a large number of boys with black flags were detained in the Hajiganj police-station on that date?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the number of boys detained in the thana; and

(*ii*) the number of black flags seized and taken in custody by the police and deposited in the thana?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) No.

(*c*) Does not arise.

Khan Bahadur MOHAMMED ALI: With refernece to answer (*b*), will the Hon'ble Minister be pleased to state whether there was a black flag demonstration against the Ministry and the students were roughly handled by the police?

The Hon'ble Mr. A. K. FAZLUL HUQ: I did not go to Hajiganj myself, but I have got the facts from the district authorities.

Mr. ABDUL LATIF BISWAS: In view of the statement that boys with black flags were detained, will the Hon'ble Minister be pleased to state whether he will consider the desirability of holding an enquiry himself?

The Hon'ble Mr. A. K. FAZLUL HUQ: I will call for a report on this point.

Mr. SHAHEDALI: Will the Hon'ble Minister be pleased to state whether the allegation as mentioned in (*b*) is absolutely false and made for the purpose of propaganda?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is a matter of opinion.

Mr. H. S. SUHRAWARDY: Is the Hon'ble Minister aware that before the Ministers arrived at Hajiganj, the police removed a number of black flags from the front of the houses which were hoisted in honour of the Ministers?

The Hon'ble Mr. A. K. FAZLUL HUQ: Unfortunately I missed that honour, but certainly it was a great honour.

Mr. DHIRENDRA NATH DATTA: Is it a fact that about 25,000 people, were present at the Hajiganj station to accord reception to Ministers?

The Hon'ble Mr. A. K. FAZLUL HUQ: It may have been, but I have no information.

Temporary "Chandina" legislation.

***155. Khan Sahib HAMIDUDDIN AHMED:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) when the term of the temporary "Chandina" legislation will expire; and

(*ii*) whether the Government contemplate to extend its term?

(*b*) Do the Government contemplate to enact any permanent legislation for governing the "Chandina" tenancies; if so, when?

(*c*) Is the Hon'ble Minister aware that there is a demand amongst the non-agricultural tenants for such an enactment?

(*d*) If so, what action does he propose to take in the mattter?

MINISTER in charge of the REVENUE and JUDICIAL and LEGISLATIVE DEPARTMENTS (the Hon'ble Mr. Pramatha Nath Banerjee): (*a*) (*i*) The terms of the Bengal Non-Agricultural Tenancy (Temporary Provisions) Act, 1940 (Bengal Act IX of 1940), will expire on the 29th May, 1942.

(*ii*) Yes.

(*b*) and (*d*) Yes, the matter will be taken up as soon as possible.

(*c*) Yes.

Mr. Syed ABDUL MAJID: Will the Hon'ble Minister be pleased to state if such legislation will be taken up in the course of this session?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: No, Sir.

Mr. ABDUL LATIF BISWAS: With reference to the answer (*b*) and (*d*), will the Hon'ble Minister be pleased to state whether he is in a position to make a categorical statement that Government will certainly make a permanent legislation of the nature?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: So far as Government is concerned, it is certainly considering the advisability of undertaking a comprehensive legislation on this point as early as humanly possible.

Mr. P. BANERJI: Is the Hon'ble Minister aware that his predecessor Sir Bijoy gave a definite assurance to the House that a comprehensive legislation would be taken up during the continuance of this temporary measure?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: Sir, I am not aware of it as I was not in the Government at the time, but if that is so, then, as I have said just now, Government will certainly consider the desirability of bringing forward legislation.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to state whether human possibility may comprise a year, 10 months, 6 months or any period of time?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: During these abnormal times, it will be extremely hazardous to set up a time-limit.

Rai Sahib ANUKUL CHANDRA DAS: Will the Hon'ble Minister be pleased to extend the period of the Bengal Non-Agricultural Tenancy Act after the 29th May till legislation is made?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: That has already been answered. My answer to the supplementary question put by my friend is in the affirmative.

Mr. DHIRENDRA NATH DATTA: In view of the recent ruling of the Hon'ble High Court that the extension of the Non-Agricultural Tenancy (Temporary Provisions) Act will not give relief to many so far as appeal is concerned, will Government consider the desirability of taking steps for giving relief to those people concerned?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: So far as the supplementary question of my friend is concerned, I shall certainly take steps to see that in view of the decision of their Lordships something may be done to give relief to persons and parties for which this piece of legislation is intended.

Salami by Calcutta landlords.

***158. Mr. ATUL KRISHNA GHOSE:** (*a*) Is the Hon'ble Minister in charge of the Judicial Department aware that the Calcutta landlords from time to time exact *salami* from the merchant-tenants under threat of ejectment?

(*b*) If so, is the Hon'ble Minister considering the desirability of suitable legislation to protect the tenants of Calcutta from such exaction?

(*c*) Is the Hon'ble Minister considering the desirability of reviving the Calcutta Rent Act, 1920, to give some protection to the tenants?

The Hon'ble Mr. PRAMATHA NATH BANERJEE: (*a*) No.

(*b*) and (*c*) The attention of the member is invited to "the Bengal House Rent Control Order, 1942," issued on the 20th February, 1942, in exercise of the powers conferred by rule 81(2) (*bb*) of the Defence of India Rules and to paragraph 4 of the said Order which prohibits landlords from charging *salami* for letting out a house on rent or for renewing the lease of a house.

Starred Question No. 157.

Mrs. HASINA MURSHED: Sir, I was asked to reply to this question standing in the name of the Nawab Bahadur of Dacca. The papers which have been sent to me late in the afternoon yesterday do not contain any information besides that given in the printed answer and I would like to satisfy myself—whether further information is available. So, I would request that this question may be taken up on Monday or Tuesday next.

Mr. DEPUTY SPEAKER: Do you want that this question should be held over?

Mrs. HASINA MURSHED: Yes, Sir, till Monday or Tuesday next.

Mr. DEPUTY SPEAKER: All right.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Alleged assault of students by Police on Bongaon railway station.

73. Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) whether the police assaulted the students and the Muslim League workers at the Bongaon railway station on account of their taking active parts in Black flag demonstration against the Chief Minister;

(*b*) whether 4 League workers were arrested at the Jessore railway station on account of their taking part in Black flag demonstration amongst others and they were let off at Khulna; and

(*c*) whether 50 Muslim League workers were arrested on the 11th January at Barisal and that 29 of them were confined in a place meant to accommodate 4 persons?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) The honourable member is referred to the reply given to starred question No. 114, dated 10th March, 1942.

(*c*) 45 persons were arrested on a charge of committing an offence under section 295, Indian Penal Code, but none was detained in *hajat*. It is not known whether any of them were workers of the Muslim League They were however released under orders of the Chief Minister.

Dr. ABDUL MOTALEB MALIK: Will the Hon'ble Minister be pleased to state whether the arrest of these persons mentioned in (*c*) was made under direct order of the Home Minister?

The Hon'ble Mr. A. K. FAZLUL HUQ: No.

Khan Bahadur MOHAMMED ALI: In reply to starred question No. 114, dated the 10th March, 1942, the other day the Hon'ble Minister has said that he was present at the Bongaon railway station at the time of the alleged occurrence. Will the Hon'ble Minister be pleased to state if the matter of assault of the students by the Police was reported to him by a member of this House and whether it is a fact that he took no notice of the report?

The Hon'ble Mr. A. K. FAZLUL HUQ: I was travelling to Barisal and my esteemed friend Mr. Sérajul Islam came to the station. The demonstration consisted of small boys, none of them exceeding the age of 8 or 10 years. They gave out Hindu names.

Mr. ABDUR RAHMAN SIDDIQI: Does the Hon'ble Minister deny that the District Magistrate declined to arrest these 50 people unless and until he received written orders and that such written orders and instructions were not given by him?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is not a fact that the District Magistrate declined to arrest.

Mr. ABDUR RAHMAN SIDDIQI: Does the Hon'ble Minister also deny the fact that these people were confined in a room meant to accommodate 4 persons and not 45 arrested according to his statement?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have said in reply to this very question at least half a dozen times in this House that there is no black hole at Barisal and none of these boys were put in a black hole.

Mr. ATUL CHANDRA SEN: Will the Hon'ble Minister be pleased to tell us if he is aware that a boy of 7 who was present in the so-called black-flag demonstration party at Bongaon when caught and accosted by the Minister said that he came to the station, because he was given two *rasgollahs* by a maulvi?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is what I heard.

Mr. ABDUR RAHMAN SIDDIQI: The Hon'ble Minister has said that the District Magistrate did not decline to arrest. Does he categorically deny that any written order or instruction or direction passed from him to the Collector with regard to this arrest?

The Hon'ble Mr. A. K. FAZLUL HUQ: As far as I recollect "No".

Mr. ABDUR RAHMAN SIDDIQI: If the Hon'ble Minister want notice, I am prepared to give notice. Will the Hon'ble Minister please state if he categorically denies that anything in writing passed from his hands to the Collector in regard to the arrest of these men?

The Hon'ble Mr. A. K. FAZLUL HUQ: I remember that after they were arrested I ordered their release.

Mr. ABDUR RAHMAN SIDDIQI: I appeal to you, Mr. Deputy Speaker, as the protector of the rights and privileges of this House, to see that evasive answers are not allowed and that I may get a categorical answer to my question. If Government decline to give such answer, I shall again come to you and seek protection.

Mr. DEPUTY SPEAKER: He has said that he does not remember. How can I force an answer from him?

Mr. ABDUR RAHMAN SIDDIQI: You cannot force an answer, but the memory of the Hon'ble Home Minister is short and the reply is generally evasive. I want a categorical answer whether anything in writing passed from him to the Collector.

Mr. DEPUTY SPEAKER: All that I can say is that you can give a notice. Possibly he will accept that notice and then the question may be answered.

Mr. ABDUR RAHMAN SIDDIQI: May I beg of the Home Minister through you to refresh his memory for which I give notice through you?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have got a very bad memory, but so far as this question is concerned, there was no occasion for me to pass any written order. But if the honourable member has got any proof that I did pass any order, and if he can produce any such thing I will not deny it. If that is so, then I can make reference to the District Magistrate if he has got any paper in his possession.

Mr. ABDUR RAHMAN SIDDIQI: Something like that will satisfy me hundred per cent.

The Hon'ble Mr. A. K. FAZLUL HUQ: Then I shall write to the District Magistrate that it has been alleged that I gave him certain written orders. If there are any such papers those might be sent to me and I shall produce them before the House.

Internment of certain persons under Defence of India Rules in Tippera.

74. Mr. ABDULLA-AL MAHMOOD: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*a*) whether the Secretary, Gunabati Muslim League, was interned at his home for 15 days during the time when some of the Hon'ble Ministers were visiting Langolkot and its nearabouts;

(*b*) whether Maulana Azizur Rahman Islamabadi, a Muslim League organiser, was externed from Tippera for 8 days;

(*c*) whether the Muslim Leaguers were arrested at Paschimgaon on their shouting *Allah-hu-Akbar* and they were not released on bail; and

(*d*) whether the police snatched away handbills in Daudkandi?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) The honourable member is referred to the reply given to clauses (*a*) (*i*) and (*iii*) of unstarred question No. 54, dated 27th February, 1942.

(*c*) Three persons of Paschimgaon were arrested, charged, tried and convicted and sentenced for an offence under Defence of India Rule 56(*4*). I do not know if they are members of the Muslim League. They did shout, amongst other slogans, *Allah-O-Akbar* but this did not constitute their offence which consisted in taking out a procession without previous permission of the District Magistrate as required by law: to this offence they pleaded guilty at their trial.

(*d*) The local officers have no information to this effect, but a number of students from Dacca were not allowed to distribute, at Gauripur, certain leaflets considered to be objectionable.

Withholding of letter of security prisoner.

75. Mr. JNANENDRA CHANDRA MAJUMDAR: (*a*) Will the Hon'ble Minister in charge of the Home (Jails) Department be pleased to state whether a letter written by security prisoner Babu Jatindra Chandra Roy to his cousin Sreemati Rashmoni Pal on the 14th October, 1941, has been withheld?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Is the Hon'ble Minister considering the desirability of sending an intimation to the security prisoner when his letter is withheld?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) The letter referred to Jail administration which was objectionable under Bengal Security Prisoners Rule 19, a copy of which is placed in the Library.

(*c*) This is done under rule 23 of the Bengal Security Prisoners Rules.

Unstarred Question No. 76.

Dr. SURESH CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state what is the policy of the Government as regards stimulation of the production of hand-spun yarn to make up for the shortage of supply of yarn?

Mrs. HASINA MURSHED: Sir, I have already said that the questions to be answered by the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca, should be held over.

Scheme for constructing a bridge over Gumti river in Tippera.

77. Maulvi MAFIZUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether there is any scheme before the Government for the consfruction of a bridge (*pucca*) over the Gumti river, near Companiganj Bazar in Tippera?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state when the scheme is likely to be taken up for execution?

MINISTER in charge of the COMMUNICAITONS and WORKS DEPARTMENT (the Hon'ble Mr. M. Shamsuddin Ahmed): (*a*) No.

(*b*) Does not arise.

Point of order.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. I noticed in the report of the *Statesman* of the Assembly proceedings held yesterday that there is an observation which runs thus: "At this stage a member delivered a speech which appeared to be entirely devoted to the support of the Fascist party in Bengal."

Sir, we in this House had never heard anybody referring to the Fascist party existing in Bengal and did not know of any speech delivered like this. I submit, Sir, that this is a very wrong report and is deliberately calculated to undermine the prestige of this House. I, therefore, submit that this is not a true and correct report of the proceedings and the privileges of the particular newspaper should be withdrawn as a first measure and thereafter if it continues to publish wrong reports about the Assembly proceedings in this way other measures will have to be thought of.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, it is a matter of deep regret that a responsible journal of the position of the *Statesman* should have misunderstood the speech delivered by my honourable friend Mr. Goswami. I am particularly pained, because the *Statesman* has taken a very reasonable attitude and has given consistent support to the Government in all its ameliorative and defence measures. (Cries of "question" from the Muslim League Opposition benches.)

Sir, the impression left by Mr. Goswami's speech was that the honourable member emphasised that in such difficult times it was necessary that responsible journalists should avoid provocative writing of any sort and, particularly, in the interest of successful defence, it was pre-eminently necessary. That is the point of view which the honourable

member was stressing in his speech yesterday and that is the impression which was left in my mind. And when I found in this morning's report in the *Statesman* a certain observation with regard to that speech which was certainly not borne out by the speech itself I thought that some misapprehension has been caused in the mind of the reporter or the sub-editor responsible for this report.

Sir, I desire to say here and now that none in my Party has got the slightest leanings towards fascism and that we are out and out defenders of democracy for which we unitedly stand. And in accordance with the open declaration of the Leader of the Party, Mr. Sarat Chandra Bose, that foreign aggression should be withstood and resisted at any cost and that internal security must be maintained, we as a Party stand by that principle and programme. We are not concerned with what has been done by the Government of India about which we have got no evidence before us, but we stand by the open declaration of our leader that he will do everything in his power to withstand and resist foreign aggression and maintain internal security. I know that cries have been raised on the floor of this House and in some journals outside this House of a most mischievous and libellous character——(There were interruptions from the Opposition Benches.) Please allow me to proceed. This kind of howling will not do——.

(There was again disturbance from the Opposition Benches.)

Mr. K. SHAHABUDDIN: We are not prepared to allow ourselves to be cowed down by members occupying the Treasury Bench.

The Hon'ble Mr. SANTOSH KUMAR BASU: I hope today you will allow me to have my say. I appeal to the Leader of the Opposition to see that members of the Treasury Benches get a fair deal at the hands of his Party and are allowed to have their say on the floor of this House on important matters. This is the minimum that we require.

(There were again disturbances from the Opposition Benches.)

Mr. H. S. SUHRAWARDY: He has repudiated Mr. Subash Chandra Bose and Mr. Sarat Chandra Bose.

The Hon'ble Mr. SANTOSH KUMAR BASU: Sir, yesterday some outrageous and libellous statements were made against us two Ministers of our Party on the floor of the House on a question raised about the Forward Bloc. I am entitled to reply to the aspersions which were cast upon my party. (There were shouts from the Opposition Benches.) The Opposition members are trying to shout me down and I am not going to submit to it. I say here and now, Sir, that the Forward Bloc

outside this Assembly is a party with which my party in the Assembly has got no concern whatsoever. (Cries of "Oh, Oh", from the Opposition Benches.)

Mr. Syed ABDUL MAJID: On a point of order, Sir. Is he relevant at all?

The Hon'ble Mr. SANTOSH KUMAR BASU: Yes, Sir. I say also that the Forward Bloc has not been declared a subversive organisation by the executive authorities of the Government, and I say, Sir, that my party——

Mr. K. SHAHABUDDIN: On a point of order, Sir——

Mr. DEPUTY SPEAKER: I am deciding a point of order now. You may raise your point later.

The Hon'ble Mr. SANTOSH KUMAR BASU: I say that all these allegations against the Forward Bloc cannot touch me.

Nawabzada K. NASARULLAH: They are true.

Mr. ABDUL LATIF BISWAS: You are a fifth columnist.

The Hon'ble Mr. SANTOSH KUMAR BASU: Somebody says "fifth columnist".

(There were again disturbances from the Opposition Benches.)

Mr. DEPUTY SPEAKER: Order, order. I have to decide the point of order raised by Dr. Sanyal. In that connection I expect some observations from the Hon'ble Minister. I did not see the paper this morning but my attention has been drawn to the observation made in the *Statesman*. Before I decide to withdraw the privileges now enjoyed by this paper, I propose to refer this matter——

Dr. NALINAKSHA SANYAL: This is grossly unfair. You have got the paper before you. We will not allow this matter to be shelved——

Mr. DEPUTY SPEAKER: Order, order. Dr. Sanyal, please sit down.

Dr. NALINAKSHA SANYAL: Please for God's sake don't have the matter shelved. Please have courage to give your decision: I hope you will rise to the occasion, as you did when you stood in the Beadon Square and gave your verdict.

Mr. DEPUTY SPEAKER: I have already said that the observation of the newspaper concerned is very much objectionable and intolerable and it infringes the rules and privileges of the House. I for myself say that if this sort of erroneous reporting is continued by this paper I shall withdraw the privilege which is now being enjoyed by this paper in this House but before I do that, I think it would be fair——

Dr. NALINAKSHA SANYAL: Give them first warning.

Mr. DEPUTY SPEAKER: I shall refer this matter to the Privilege Committee or if you insist on decision being taken now, I shall ask both the Leader of the Opposition and the Leader of the House to express their opinions on this particular aspect.

Dr. NALINAKSHA SANYAL: I do insist, Sir.

Mr. DEPUTY SPEAKER: Before I hear the respective Party Leaders, I shall ask the Leader of the Opposition if he agrees to express his opinion first with regard to the observation which has appeared in the *Statesman*.

Mr. H. S. SUHRAWARDY: You my please ask the Leader of the House to express his opinion first.

Mr. DEPUTY SPEAKER: You leave that matter to me. I have asked the Leader of the Opposition to give his opinion.

Mr. ABDUR RAHMAN SIDDIQI: May I appeal, Sir, to you not to have a discussion on this point in tthe House? Call them to your Chamber and talk it over. But before you take one step forward, please get the official report of the speech of Mr. T. C Goswami before you because we are now discussing a very important matter which affects the privileges of the House and I do not want it to be discussed in the heat especially as the machinery to-day has broken down. Please call them into your room and talk it over.

Dr. NALINAKSHA SANYAL: I do not at all agree with that suggestion. We want you to give your decision now. There is another point of order coming.

Mr. DEPUTY SPEAKER: Unfortunately some other matters have been dragged in. I have got the official version with regard to the remarks made by Mr. Fazlur Rahman, the Hon'ble Dr. Mookerjee and Mr. Farhad Raza Choudhuri. If you want, I shall take the official version of the speeches delivered and give my decision, but that will

not improve the situation. A copy of the *Statesman* also is here. If you insist on my decision now, I shall take the opinion of the Leader of the House first.

The Hon'ble Mr. A. K. FAZLUL HUQ: I entirely agree with my friend, Mr. Abdur Rahman Siddiqi, that the official version of the proceedings should be first obtained and along with that I make a further suggestion that a reference should be made to the *Statesman* also as to what it has got to say with reference to this matter. It sometimes happens that remarks are made in newspapers by irresponsible persons without the knowledge of the authority and we should, therefore, first like to know what the *Statesman* has got to say.

Dr. NALINAKSHA SANYAL: This appears in the official report of the Assembly proceedings as published in the *Statesman* and the mischief has already been done by publishing it.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am here making this suggestion, and it is for you either to accept or to reject it, that the *Statesman* should be first asked to explain what they have got to say in this matter.

Dr. NALINAKSHA SANYAL: When the paper apologises, we shall consider whether to restore the privileges but for the time being action should be taken. That is also the procedure followed in the Central Assembly.

Khwaja Sir NAZIMUDDIN: I also personally feel that to be able to give a real honest opinion Mr. Tulsi Chandra Goswami's speech ought to be made available to us here.

Dr. NALINAKSHA SANYAL: His name is not mentioned. How can you fit the cap on Mr. Goswami's head?

Mr. DAVID HENDRY: I have not seen the report in question and I suggest that before this matter is considered by the House, we must have all the papers in our hands. I entirely agree with Mr. Abdur Rahman Siddiqi that the whole matter should be considered—both the official report of Mr. Goswami's speech if that is the one referred to and the explanation of the *Statesman* as to whether they agree with that report. It is impossible to decide the issue until we have all the evidence in front of us.

Mr. KIRAN SANKAR ROY: Mr. Deputy Speaker, I have now had the advantage of reading the report in the *Statesman*. It is, I think,

grossly unfair. We all listened to the speech of Mr. Goswami and as far as I remember—and I remember everything perfectly—Mr. Goswami was criticising the *Statesman* for a very provocative article. Mr. Goswami was entirely in the right. In these circumstances I entirely support the point of order raised by Dr. Sanyal that privileges of the *Statesman* should be withdrawn till that paper apologises. If and when apology is made we shall consider the nature of the apology offered and again extend the privileges.

Mr. ATUL CHANDRA SEN: May I rise to a point of order, Sir? I would draw the attention of the House to a very serious matter. While the Hon'ble Mr. Santosh Kumar Basu was speaking, some of the honourable gentlemen belonging to the Opposition interjected saying that he was a Fifth Columnist. I beg to submit that it was unjustifiable and highly unparliamentary.

The Hon'ble Mr. SANTOSH KUMAR BASU: May I just say to those who call me a Fifth Columnist that they are themselves Fifth Columnists because they are impeding our war efforts and defence measures.

Mr. DEPUTY SPEAKER: So far as the point of order raised by Dr. Sanyal is concerned, I feel it necessary to maintain the prestige of the House. I am of opinion that the *Statesman* ought not to have made this uncalled for observation with regard to the speech of Mr. Goswami. The Editor might have done that in a note. While reporting the proceedings of the Assembly this observation is absolutely uncalled for and I will give my decision on this along with other matters that have been referred to me on Monday.

So far as Mr. Sen's point of order is concerned, my attention has been drawn to some other similar remarks made at the time of the heated debate yesterday by different members. I have got the exact word used. I will also give my decision on those points of Monday, and, if necessary, I shall refer these matters to the Privilege Committee.

Dr. NALINAKSHA SANYAL: Then, Sir, the second point of order that I want to raise relates to three parties, the *Statesman*, the Associated Press and Mr. Abdur Rahman Siddiqi. We find on page 6 of this morning's *Statesman* a report published with a broad headline—"Ministers and the Oath of Allegiance"—which alleges that Mr. Abdur Rahman Siddiqi will move a resolution purporting to question the propriety of certain Ministers having declared their intention to break the law in some other adjoining province. I submit, Sir, hitherto it has been the privilege of this House that no member would seek to achieve cheap notoriety for himself by rushing to the Press with regard

to any resolution which he has actually tabled and given notice of. He might probably give a gist of the subject-matter he would discuss but the actual wording of the resolution given notice of or proposed to be given notice of, which may or may not be accepted by the Hon'ble Mr. Speaker, raises an important question of privilege, because it fetters the hand of the Speaker of the Assembly in regard to the admissibility or acceptability of such a motion. I think the publication of such a report is an absolute infringement of the privilege of the House. In this matter I submit that the *Statesman* has been guilty of publication, the Associated Press guilty of circulation thereof, and Mr. Abdur Rahman Siddiqi's guilt knows no bound.

Mr. ABDUR RAHMAN SIDDIQI: Sir, I will offer an explanation to the point raised by Dr. Sanyal later on.

The point that I want now to raise is that the constitutional effort has been to establish a collective responsibility of Government. We heard the Hon'ble Minister for Local Self-Government today standing in the House and talking as the leader of a portion of the Government party. I should like to know whether a Minister can change his garb from an official status to a limited private status of a leader of a small portion of it because any word that falls from the mouth of any Minister may be construed as a statement on behalf of Government. The point requires clarification at your hands. They should not abuse their official position and brow-beat us by using hot words in this hot House especially when the cooling appartus has failed and by giving opinions which belong only to a section of the Progressive Coalition Party.

The Hon'ble Mr. SANTOSH KUMAR BASU: On a point of personal explanation, Sir. Open challenges were thrown out to two members of the Cabinet and to the Party to which they belong within the Progressive Coalition Party and I think it is common fairness on the part of those who have thrown out that challenge to allow those who have been attacked to have their own say by way of an explanation. And I do not think that my esteemed friend, Mr. Abdur Rahman Siddiqi should have gone so far as to suggest that I was not within my rights and that I could not exercise my privilege of explaining my position and that of my colleague, the Hon'ble Mr. Banerjee, as well as of our party within the Progressive Coalition Party, which I represent. I think Mr. Abdur Rahman Siddiqi has misunderstood the position and ought to have realised what I was really doing.

Mr. DEPUTY SPEAKER: So far as your observation is concerned this is a constitutional question and I will have to see what are the practices followed in this House and in the British Parliament and I will give my decision on this point on Monday.

Regarding the other point, certainly no such observation should be published in the newspapers before it is admitted by the Speaker or by the Deputy Speaker. I have not got any such notice yet; so I will see whether notice has been received by the department or whether it has been admittd by the Hon'ble Speaker and I will either refer it to the Privilege Committee or I will give my decision on Monday.

Sj. NARENDRA NATH DAS GUPTA: Sir, I stood up and wanted to speak on this point.

Mr. DEPUTY SPEAKER: I have given my decision. Do you want to raise a fresh point of order?

Sj. NARENDRA NATH DAS GUPTA: No, Sir, I want to speak on this point.

Mr. DEPUTY SPEAKER: I have already given my decision on this point.

Mr. H. S. SUHRAWARDY: On a point of order. The Hon'ble Minister for Local Self-Government has taken advantage of the motion of Dr. Nalinaksha Sanyal to give a personal and political explanation for his presence on the Treasury Bench and for his acceptance of office under the aegis of Mr. Sarat Chandra Bose while at the same time repudiating his leadership and repudiating his connection with the Forward Bloc. Now, Sir, this raises a very important question as to why and under what garb he is there as a member of the Treasury Bench, and I submit, Sir, that this irrelevant matter having been raised by him on an entirely different issue he has thrown open the question to the House for discussion.

Mr. DEPUTY SPEAKER: Mr. Suhrawardy, what is your point of order?

Mr. H. S. SUHRAWARDY: My point of order is to give us an opportunity to discuss that point which he has raised.

The Hon'ble Mr. SANTOSH KUMAR BASU: On a point of personal explanation in answer to what has been stated by Mr. Suhrawardy under the garb of a point of order. Sir, when I started making a statement I confined myself entirely to what has appeared in the *Statesman*. Then there was an interjection from the Opposition "What about the Forward Bloc?" Thereupon I was drawn into making a statement with regard to that point and Mr. Suhrawardy has again gone wrong when he says that I have repudiated my connection with

the Forward Bloc. I have no connection with the Forward Bloc. I once again say and my party is not Forward Bloc in the Legislative Assembly. Nor have I repudiated the leadership of Mr. Sarat Chandra Bose. He is the Leader of my Party even now and as such we hold fast to him even today.

Mr. H. S. SUHRAWARDY: Sir, may I point out——

Mr. DEPUTY SPEAKER: Order, order.

Mr. H. S. SUHRAWARDY: I wish to point out——

Mr. DEPUTY SPEAKER: Order, order. Please sit down. Yes, Mr. Shamsuddin.

Mr. K. NOORUDDIN: Sir, before you begin——

Mr. DEPUTY SPEAKER: Order, please.

Mr. K. NOORUDDIN: Before you begin——

(Cries of "sit down", "sit down" from Coalition benches.)

Mr. DEPUTY SPEAKER: Mr. Nooruddin, you are obstructing the proceedings of the House. I have already asked Mr. Shamsuddin to speak.

Mr. K. NOORUDDIN: Before the Hon'ble Minister speaks I wish to——

Mr. DEPUTY SPEAKER: Sit down, please. I have already said that I will give my decision on Monday.

Yes, Mr. Shamsuddin.

DEMAND FOR GRANTS.

XVII, etc.—Irrigation.

The Hon'ble Mr. SHAMSUDDIN AHMED: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 83,97,000 be granted for expenditure under the heads "XVII—Irrigation—Working expenses", "18—Other Revenue Expenditure financed from Ordinary Revenues", "18 (1)—Other Revenue Expenditure financed from Famine Relif Fund", "19—Construction of Irrigation, Navigation, Embankment and Drainage works financed from

Ordinary Revenues" and "68—Construction of Irrigation, Navigation, Embankment and Drainage works not charged to revenues."

With the amount provided on account of charged expenditure the total budget provision under these heads is Rs. 36,73,000 as against the current year's budget grant of Rs. 35,13,000. The increase is due, as I shall presently explain, mainly to provision for special repairs to the Anderson Weir of the Damodar Canal Project under the minor head "Maintenance and Repairs".

Sir, I wanted to speak now but I believe it will be better if I make my speech after my friends have moved their cut motions.

Maulvi AHMED ALI MRIDHA: Sir, I beg to move that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs. 100. The object of the motion is to raise a discussion about the failure of Government to provide adequate funds for improvement of existing village communications in the Province of Bengal including the existing waterways in the Eastern Bengal districts.

I also beg to move that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs. 100. The object of the motion is to raise a discussion about the failure to execute the scheme of re-excavation of river Chandana as a system including Kumer and Barasia in the district of Faridpur.

Sir, I may be pardoned that I mention the districts of Eastern Bengal in particular for by a close study of the Irrigation Budget of Bengal I find that in matter of Irrigation, Eastern Bengal in particular has received a step-motherly treatment all along in the hands of the powers that be. The Hon'ble Mr. Shamsuddin Ahmed is my particular friend since my childhood and he belongs to a village in the subdivision of Kusthia which is just on the border line of East and West Bengal. In extreme western part of the province—in the districts of Birbhum, Bankura, Burdwan, Midnapore, Hooghly and Howrah—the problem there is properly speaking Irrigation for one purpose only, that is, agricultural purposes, whereas in Eastern, Northern and Southern Bengal Irrigation problem may be classified under different heads —

(*a*) Drainage as village communications, measures of public health, sanitation, agriculture, industries and trade. They are small schemes but are innumerable.

(*b*) Resuscitation of dead and dying rivers—in major schemes.

In the year 1940 the Government for the first time appreciated the importance of the smaller schemes by decentralisation although the major schemes had attracted their attention two or three decades ago. But as ill-luck would have it machines of God move very slow and

machines of Bengal Government moved slower still. I shall not, however, demolish the buildings on the north of the Laldighi nor shall I drown them into the waters there. I shall only with all humility try to establish how the problem has failed to attract the imagination of the authorities.

With a view to cause dredging of the rivers, five dredgers were purchased at a cost in the neighbourhood of two crores of rupees. Heavy loan was taken from the Centre. It was almost before my birth and I am an old man now. The dredgers are rotting near Gopalganj. "Foyers" cost us Rs. 30,000. "Alexandra" Rs. 21,500. "Cowley" Rs. 12,000, "Burdwan" Rs. 4,000, "Ronaldshay" Rs. 15,000 as recurring cost for their upkeep. The total is Rs. 82,500 annually. When the question of repairs comes it is a fabulously high figure for that year. Average expenditure per annum is never less than a lakh of rupees. The House will have nothing to its glory when I tell you how that loan was paid and how before the Niemeyer Award the province was kept in the position of perpetual bankruptcy. Anyhow it is a fact that the dredgers are lying idle without any work worth the name. It is not to our credit that up till now there is no definite project before the country for which the dredgers can be utilized in near future. This is an unfortunate situation.

Next as I told you, the rivers and channels in Bengal are dying out. The effect is a calamity for Bengal as a whole and is disastrous for Eastern Bengal. Eastern Bengal had too many of rivers and rivers gave it the prosperity it had and rivers are in their dying condition and the people are also dying of disease and pestilence. Those that judge by the surface will not probably believe me that abnormal drought and abnormal flood and consequent failure of crops is also due to the degeneration of the rivers and channels.

There was probably no Government in Bengal when the Britishers gave us the great boon of the railway and the District Boards started the construction of roads There was probably no Government also when the Central Government decided to take out irrigation channels through the semi-desert tracts of upper India from the upper ridges of the river Ganges. However, there is no use in our worry over the past. It is a fact that man made causes and nature causes have worked together to cause the death of our rivers and death by strangulation of other streams and channels. The result is stagnation here and stagnation there, blockade here and blockade there Water in low flood does not pass over the blockades and paddy plants and jute plants are scorched to death when there is abundance of heavy shower from heaven and in high flood blockades passed over the rush of water cause havoc in the countryside by destruction of crops in a day by an increase of level of the water in stagnated areas by 6 or 7 feet in six hours. Stagnated areas abound in shrubs and

jungles and the pest of water hyacinth reigns in the country side in the rivers, beels, channels, *dobas* and everywhere. Mosquito is said to be the cause of malaria. I wonder how it is not yet known to our friends in power that men, women and children are counting their days for advent of the angel of death. In my subdivision of Goalundo and the Sadar subdivision of my district depopulation is the word. Village after village has ceased to contain human abodes and they with their jungles are abodes of wild animals. Of the birds "Koo" live there in abundance. When I complain of my place I do not lose sight of the miserable condition of the district of Jessore almost as a whole. Nadia in many parts has gone beyond recovery. Dacca is attacked also. Mymensingh is affected in parts. I have meagre knowledge of the other parts of the province.

Leaving aside the condition of rural health agriculture is as much on its way to ruin as health. I shall not dilate upon it as I have no time.

Read the census figures. Increase of population is everywhere but the subdivision of Goalundo has recorded a reduction in the two successive operations. Look to the census figures of the places I have referred to and be convinced of the truth of my assertion. Now what is the remedy? Improve the village communication by improving the existing waterways. This done as a system will give us back health and wealth and food although it is essential that the big rivers also shall not be allowed to die.

In the absence of co-ordination the Government is wandering about. Any Secretary of a Department is jealous of his friend of the other department. Finance Secretary is the most rotten.

Bengal is a deficit province in food articles. You are taking protective war measures. You will spend money. Do that and save yourselves. But my prophecy is that village communication by boat and by road is your need. Still more so for war purposes—to get a morsel of food in the metropolis. Encourage the villagers to produce paddy. Give up jute which you shall not be able to sell. Have village channels opened as war measures. Railways may not be able to help you.

Now, Sir, in regard to bigger projects the Government policy is well declared by their conduct and action for over 20 years. The dredgers stand to say that you are going to dredge rivers. The project of the Chandina is as old as I am now. Estimates have been framed times without number. Money also was sanctioned some time. Now after the contour survey has been finished and the results studied, hydraulic data collected and levels seen, eye survey of the Engineer furnished, you cannot have any more of talking out the subject. Your predecessor's commitment is there, estimate drawn is there. The only question is

of money. After you have the income from the Sales Tax and also from Raw Jute Tax and from Finance Tax you may not for God's sake talk of shortness of funds.

If rivers and channels are given back their life, we are brought back to life. Don't indulge in the game of killing people in the rural areas just for comfort's sake.

The Eastern Bengal districts have all their similar problems. North Bengal also has some. The districts of Jessore and Nadia also should not be kept out of consideration. I know your experts have made a study. I have knowledge of a few localities only. I may be pardoned that I do not give details of the claim of the sister districts whose cases also are near to my heart.

My recommendations are: (*a*) Improve village communications not only as measures of communication only but also as measures of public health, sanitation, irrigation, trade and industry; (*b*) do not insist on local contribution; (*c*) rejuvinate the dead and dying rivers by making use of the dredgers you have and use small excavators where quicksand baffle you in your hand digging; (*d*) compel the railway and the District Board to give free flow to the channels and rivers. Compel them to have more of openings and causeways on their lines and roads; (*e*) the railway and District Board should be compelled to have continuous drains on both sides of the roads just to remove unhealthy condition by connecting the pits lying in isolation.

Do not for God's sake say that Irrigation is a separate business from Rural Reconstruction, and Public Health and Agriculture are not your concern. If you are a Government for the people, effect a co-ordination of your activities in the different departments.

Mr. HARENDRA NATH DOLUI: Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 33,97,000 for expenditure under the heads "XVII etc.—Irrigation" be reduced by Rs. 100.

আমাদের এই সুজলা, সুফলা, শস্যশ্যামলা বঙ্গভূমি একটী নদী-মাতৃকা দেশ। এ দেশে গঙ্গা, যমুনা, ও ব্রহ্মপুত্র, পদ্মা, মেঘনা, মহানন্দা, তিস্তা প্রভৃতি বড় বড় নদী জালের ন্যায় শাখাপ্রশাখা বিস্তার করে যুগ-যুগান্তর ধরে প্রবাহিত হচ্ছে। বিধাতা কৃষিকার্য্যের উপযোগী করেই যেন এ দেশটিকে সৃজন করেছেন। কৃষিজাত দ্রব্যই এদেশের সোণা, মণি ও মুক্তা।

এই বাংলাদেশে সন্তানসন্ততিগণ কৃষিজাত দ্রব্যের উপর নির্ভর করেই তাদের জীবন-যাত্রা নির্ব্বাহ করে এতকাল চলে আসছিল। কিন্তু হায়! বাংলা মায়ের ছেলেমেয়েরা আজ খেতে না পেয়ে ধ্বংসের পথে চলে যাচ্ছে। বাংলার সেই মাটি, সেই জল, সেই নদী-নালা সকলই এখনও বিদ্যমান আছে। তথাপি দিনের পর দিন দুর্দ্দশার ছবি স্পষ্ট-ভাবে ফুটে উঠছে কেন? এর কারণ কে অনুসন্ধান করে? এবং এর প্রতিকারের জন্য কোন মহান ব্যক্তি বদ্ধপরিকর হয়ে দাড়াচ্ছে?

আমাদের জনপ্রিয় বাংলা গভর্ণমেণ্ট এর জন্য কি কিছু করেছেন? এদেশের ভূমি কর হতে রাজকোষের আয়তন কি কিছুই বাড়ে নেই? যদি বেড়ে থাকে, তবে তার প্রতিদানস্বরূপ ভূমিজাত সম্পত্তির উৎকর্ষসাধন জন্য তারা কি করেছেন! আমরা শুধু দেখ্‌তে পাই পূর্ত্তবিভাগ ও সেচ বিভাগের জন্য লক্ষ লক্ষ টাকা প্রতি বৎসর রাজকোষ হতে চলে যায়। টাকা কোথায় যায় তার কিনারা পাওয়া যায় না। ফলে কৃষিকার্য্যের অবনতি দিনে দিনে বেড়ে চলেছে। প্লাবনের প্রবল প্রবাহ হতে কৃষিক্ষেত্রগুলি রক্ষার জন্য বড় বড় নদীর তীরভাগে বহু অর্থ ব্যয় করে যে সমস্ত পর্ব্বতপ্রমাণ বাঁধের সৃজন হচ্ছে, তা কি কোন দিন বন্যাবারির ধ্বংস-লীলার প্রতিকার সাধন করেছে? অধিকন্তু উক্ত সার্কিট এমব্যাঙ্কমেণ্টগুলি ছিন্নভিন্ন হওয়ার ফলে কৃষক-কুলের তথা গ্রামবাসীগণের যে কি হৃদয়-বিদারক দুর্দ্দশা সৃজন করে, তা বর্ণনাতীত। মেদিনীপুর জেলার ঘাটাল Subdivisionর মধ্য দিয়ে, কাসাই, সিলাই, রূপনারায়ণ প্রভৃতি নদীর বাঁধ ও উক্ত জিলার কাঁথি অঞ্চলে কেলেঘাই প্রভৃতি নদীর বাঁধ প্রায় প্রতি বছরেই ভেঙ্গে যায়। ফলে বহু লোকের প্রাণহানি ও লক্ষ লক্ষ টাকার ফসল নষ্ট হয়ে ভেসে যায়। স্বভাবের বিরুদ্ধে দণ্ডায়মান হবার দুর্ব্বুদ্ধিপ্রসূত যে নীতি এরা এতদিন অবলম্বন করে আস্‌ছেন, তার ব্যর্থতা কি এরা এখনও উপলব্ধি কর্‌তে পারেন নি? নদীগুলি ক্রমশঃ মজে যাচ্ছে এবং তীরবর্ত্তী গ্রামের ভূ-ভাগ ধীরে ধীরে নীচু হয়ে চলেছে। তার ওপর আবার ঐ সকল নদীগর্ভে রেলপথের সেতুস্তম্ভ নির্ম্মিত হওয়ায় জলস্রোতের স্বভাবগতি প্রতিহত হচ্ছে। ঐ সকল কারণে গ্রামভাগের কৃষিক্ষেত্রে যে প্রচুর বন্যা-জল জমে থাকে, তা শীঘ্র অপসারিত হতে চায় না এবং গ্রামস্থ পথঘাট দীর্ঘকাল জলমগ্ন থাকায় উৎপীড়িত অধিবাসীগণ এরূপ বিপদে পড়ে যে দূরবর্ত্তী কোন স্থান হতে সাহায্য পাওয়ার কোন আশা থাকে না। গত বৎসর ঘাটাল অঞ্চলের অধিবাসীগণের এইরূপ বিপদকালে আমি নিজে পূর্ত্ত বিভাগের ও রাজস্ব বিভাগের মন্ত্রীমহোদয়গণকে তারযোগে এইরূপ দুরবস্থার কথা জানিয়ে ছিলাম কিন্তু দুঃখের বিষয়, মন্ত্রীমহোদয়দের দ্বারা প্রকৃত ঘটনার কোন অনুসন্ধান লওয়া হয় নি, এমন কি তার প্রাপ্তির কোন প্রত্যুত্তর দেন নি। তাই বলি, এই দুর্দ্দশার দরদী কে হতে পারে! এই জলনিকাসের জন্য গভর্ণমেণ্ট কি ব্যবস্থা অবলম্বন কর্‌ছেন? আশা করি, মাননীয় মন্ত্রী মহোদয় সে বিষয়ে আশাপ্রদ উত্তর দেবেন।

এই ত গেল বর্ষাকালের অবস্থা এবং তৎসহ হৈমন্তিক ফসলের ধ্বংস-সাধন। শীতের প্রারম্ভে এই দেশে যখন রবি ফসল আবাদের সময় আসে, তখন কৃষি-ক্ষেত্রে জল সরবরাহ করবার জন্য গভর্ণমেণ্ট কি কোন স্থানে কোন ব্যবস্থা করেছেন? যদি কোথায়ও করে থাকেন, তবে তা ব্যবসায়ের মধ্যে দিয়ে হয়েছে; তাতে প্রকৃতপক্ষে কৃষিকার্য্যের উৎকর্ষসাধন হয় নি। গভর্ণমেণ্টের এই বিভাগে কি উচ্চ শিক্ষিত বিশেষজ্ঞদিগের অভাব আছে? যদি তা না হয়, তবে এরূপ শোচনীয় অবস্থার উদ্ভব হয় কেন? তার প্রধান কারণ এই যে তাদের কার্য্যপ্রণালীর ভিত্তি ব্যবসায়ের উপর স্থাপিত; কোনটীই জাতিগঠনমূলক নয়। যতদিন না ঐ সকল কার্য্যকলাপ জাতিগঠন মূলে চালিত হয় এবং কোন একটা নির্দ্দিষ্ট বিস্তীর্ণ পরিকল্পনাসহ পরিচালিত না হয়,

ততদিন এই হতভাগা কৃষি-প্রধান দেশের সেই সুজলা, সুফলা শস্য-শ্যামলা নাম ফিরে আসছে না। এই নীতি অবলম্বন দ্বারা রাশি রাশি অর্থই শুধু ব্যয় হতে থাকবে। কোন মঙ্গলজনক ফল প্রসূত হবে না।

বাজেটে যে contour surveyর জন্য টাকার বরাদ্দ আছে, তার কার্য্য সারা বাংলা জুড়ে হচ্ছে কি না তা জানি না এবং তার ফল কতদিনে যে কতদূর কার্য্যকরী হবে তাও বুঝতে পারছি না।

কয়েকটী কার্য্যের প্রতি মন্ত্রীমহাশয়ের দৃষ্টি আকর্ষণ করেই আমি আমার বক্তব্য শেষ করছি।

(১) সারা বাংলাদেশ পুঙ্খানুপুঙ্খরূপে survey করা আবশ্যক।

(২) মন্ত্রী মহাশয়ের স্বয়ং ভিন্ন ভিন্ন স্থান পরিদর্শন এবং সেই সঙ্গে স্থানীয় M. L. A. ও M. L. C. দের সঙ্গে কৃষিকার্য্যের জন্য জল-নিকাশ ও জল-সরবরাহ বিষয়ে আলোচনা করা আবশ্যক।

(৩) নদীগুলির spill area বাড়িয়ে দেওয়া এবং তার জন্য যদি জমি খরিদ করতে হয়, গভর্ণমেণ্টের নিজ ব্যয়ে তা করা আবশ্যক এবং যে সকল জমি মজে যাচ্ছে, তা খনন করা আবশ্যক।

(৪) পূর্ত্ত বিভাগের ও সেচ বিভাগের কোন কার্য্য যেন ব্যবসায়ের ব্যাপদেশে চালিত না হয়—কেবল জাতিগঠন মূলেই প্রবর্ত্তিত হওয়া উচিত।

(৫) অনাবৃষ্টি বা সেচ অভাবে যাতে কৃষিকার্য্য নষ্ট না হয়, তার জন্য বিস্তীর্ণ কৃষিক্ষেত্রের মধ্যে মধ্যে বড় বড় জলপূর্ণ জলাশয় প্রতিষ্ঠা একান্ত প্রয়োজনীয়।

Dr. NALINAKSHA SANYAL: Mr. Deputy Speaker, Sir, I beg to move the motion standing in my name that the demand of Rs. 33,97,000 under the heads "XVII—Irrigation—Working Expenses—18—Other revenue expenditure financed from Ordinary Revenues—18(1)—Other Revenue Expenditure financed from Famine Insurance Fund—19—Construction of Irrigation, Navigation, Embankment and Drainage Works—B—Financed from Ordinary Revenues and 68—Construction of Irrigation, Navigation, Embankment and Drainage Works" be reduced by Rs. 100. The object of the motion is to raise a discussion about the continued failure of Government to formulate and adopt a comprehensive scheme for the improvement of drainage and irrigation in the province and to set up a suitable administrative machinery for the same and in particular—

(*a*) failure to treat the Irrigation Department as a nation-building department free from the limitations of a Commercial Department;

(*b*) failure to establish the River Research Laboratory in spite of assurances;

(*c*) failure to devise large irrigation and drainage schemes for *waterlogged, insanitary* and declining areas of the province;

(*d*) failure to promote and assist local bodies in the execution of smaller irrigation and drainage works in pursuance of the new policy of decentralization; and

(*e*) failure to make adequate protection for important towns and other populous areas from erosion and floods.

Sir, you know the stupendous failure of the Department in various respects and I only picked out a few of them to draw pointed attention thereto. I hardly need any speech in support of the motion as I know we are all very much hard pressed for time this morning. I shall only briefly refer to the budget figures to point out how repeated assurances have been held out in the past and how the Department has signally failed to satisfy the public demand and even to act up to their own assurances given on previous occasions.

On page 64 of the Red Book is shown a list of reductions over the original estimates of the current year in the revised Budget estimates. You will notice the deplorable admission of failure from items (1), (2), (3), (4), etc. These are:—

(1) Postponement of the scheme for draining the *bils* and swamps lying to the north of Krishtopur canal.

(2) Postponement of the scheme for widening the bed of the Kaliaghye River in the Midnapore district owing to some legal difficulties.

(3) Postponement of the scheme for re-excavation of the Marjora *khal* in the Tippera district.

(4) Postponement or smaller expenditure on the Bidyadhari Peali scheme.

(5) Postponement or smaller expenditure on the River Research Institute owing to the delay in the selection of the site.

For this a plausible explanation has been suggested as if the responsibility is not of the Department in regard to the selection of the site.

(6) Abandonment on grounds of economy of the scheme for a garage attached to Digha Inspection Bungalow, etc.

In the Budget also we find that no new scheme has been at all provided, for it is mentioned that only the works in progress are being pursued. If you look at pages 153, 154 and 155 of the Red Book, you will notice that there is hardly any scheme worth the name for which money is being provided in the coming year's Budget. Taking up one

item for example, the establishment of an Institute for river research in Bengal it will be noticed that a sum of Rs. 30,000 has been provided for expenditure in the next year although it is estimated that nearly Rs. 6 lakhs will be required for creating this River Research Laboratory and for enabling it to function in a proper order. We do not know whether even that would be spent because in the current year we find that Rs. 20,000 was provided out of which the probable expenditure during the current year is supposed to be only Rs. 5,000 and I am doubtful of even that much being spent. Sir, I do not propose to enter into the details. I would only humbly draw the attention of the House and of the Department through you, Sir, to my observations on the Irrigation Budget during previous years and I have practically exhausted all the points that had to be said in this connection

I am afraid it will not do for Bengal to be left in this position from year to year but I know the Hon'ble Minister, for whom I have the deepest sympathy, will come forward and say that he will try his best and that he should be given a chance, he being new to his office. But what I want to submit in this connection is that although there are the officials of the department who must have been functioning and drawing salaries—some of them fat salaries—I am not convinced that the department is functioning properly. There is an officer of the department—a very highly placed officer who ought to have come forward with well-prepared schemes but because he may be retiring in the course of the next few months he has been doing nothing but thinking for himself and trying for another job to which he is seeking to be re-employed, so that he may get a comfortable berth even after his retirement even though he has signally failed in his present job. This is the type of officers who are now controlling the Irrigation Department. I hope the Hon'ble Minister who is a new man in the line will exercise his intelligence and study in such a manner that he may not fall an easy prey to such designing persons but hold an independent view and pursue an independent policy of his own.

Sir, nobody knows more than what my friend, the Hon'ble Minister, does of the decadent condition of the central part of Bengal, coming as he does from the district of Nadia. For the last five years I have been crying myself hoarse for some such schemes being adopted which would give real relief to the decadent areas. Schemes were drawn up by local bodies also but, as I have already stated, the local bodies were not helped in the matter of preparation of schemes because while they have no technical knowledge they have been deprived of all help from the technical experts of Government when a previous Secretary shoved off the responsibility of Government in the matter on to the shoulders of the local bodies by the wonderful device of the decentralization scheme. That decentralization policy, Sir, has led to the improvement in the

sphere of road development. We have discovered that decentralization has distinctly led to delay in progress of work. As a matter of fact, Sir, when this decentralization policy was first introduced two years ago, I did entertain that apprehension. It was then said, Sir, that as a result of decentralization smaller schemes could be taken up by local bodies and could be proceeded with greater expedition. Our experience during the last two years, however, has belied that expectation: rather, it has practically confirmed my apprehension that by decentralization you will never have progress of work unless Government immediately along with the policy of decentralization were prepared to have some technical staff allowed to be placed at the disposal of the local bodies to help them in pursuing smaller local irrigation schemes. Sir, the whole country has been crying for improvement in health, for improved conditions of agriculture and improved comunication in rural areas. Irrigation stands as the bed-rock for achieving better public health, better agricultural conditions and better means of communication which can be achieved only if properly drawn-up schemes for irrigation of the province can be given effect to. Sir, I have my sympathies for the department also, to some extent. I know that the department is very understaffed for the big problems that it has to deal with and yet, Sir, those at the top do not realise their own responsibility. I will give a simple example. With regard to the establishment of a river research laboratory we were told that until a river research laboratory was established it would not be possible for Government to pursue any big schemes so that it was incumbent on Government to establish that laboratory with as much expedition as possible and promises were held out to do so even before the outbreak of war. But nothing has yet been done and it is very difficult now to proceed with the scheme because machineries and other equipments are now difficult to obtain. That leads to the impossible situation that we cannot proceed with any big schemes without first having established a river research laboratory and that a river research laboratory cannot now be established because we are in the midst of war. This is a vicious circle. Something must be done, Sir, to break this vicious circle. We insist that there should be a thorough revision of the whole irrigation programme of Government. Even after the river research laboratory is established, it may take years before scientific men would be able to come forward with definite recommendations based on important data which it would require some time to collect. Sir, I do not know what Government intend to do in the circumstances. Important schemes like the Hooghly-Howrah Flushing Scheme of Central Bengal which are real irrigation improvement schemes have been held up and even minor schemes have not been proceeded with although I know that as far back as in 1937 some such schemes for Nadia and Murshidabad were drawn up and placed for examination before respective superior officers of Government. I

suggest that some of those schemes should be taken up now and that we should not allow the war or any other exigency that may arise immediately now or in future to stand in the way of our pursuing some measures which will bring relief to the country and for this purpose all the various aspects of our irrigation problems referred to in (*a*), (*b*), (*c*), (*d*) and (*e*) of my motion should receive consideration at the hands of the present Ministry.

With these observations, Sir, I commend my motion to the acceptance of the House.

Mrs. NELLIE SEN GUPTA: Mr. Deputy Speaker, Sir, it is very trying to sit in this closed chamber when the cooling plant has failed.

Mr. DEPUTY SPEAKER: I am sorry, Mrs. Sen Gupta, I am quite helpless in the matter. What little I could do I have done by opening all the doors and windows in the upper part of the Chamber.

Mr. M. A. F. HIRTZEL: Mr. Deputy Speaker, Sir, I shall only say one or two words on this subject. While acknowledging the enthusiasm of Dr. Sanyal for this subject I can only wish that the same enthusiasm were demonstrated by other members of this House. I would only add that I think it will be very unsound in principle if this House makes attacks of the sort that Dr. Sanyal has thought fit to make on the permanent officials of Government.

I submit, Sir, the ultimate responsibility rests not on the permanent officials of the department. The ultimate responsibility rests upon the Ministers and the members of this House to see that their duties to the public are properly discharged.

Dr. NALINAKSHA SANYAL: Mr. Deputy Speaker, Sir, I did not cast any reflection on European officers but on an Indian officer.

Dr. SHARAT CHANDRA MUKHERJI: Sir, I beg to move that the demand of Rs. 33,97,000 for expenditure under the head "XVII, etc.—Irrigation" be reduced by Rs 100. The object of the motion is to raise a discussion about—

(1) the failure of the Government in giving effect to the Mour scheme in the district of Birbhum, and

(2) the failure of the Government in deepening and extending the Bakreswar Canal.

Mr. ISWAR CHANDRA MAL: Sir, I beg to move that the demand of Rs. 33,97,000 for expenditure under the head "XVII, etc.—Irrigation" be reduced by Rs. 100. The object of the motion is to raise a

discussion about failure of Government to make any effective scheme to drain out rain water even of Contai and part of Sarpai basins, for many years allowing the people to be ruined for ever (district Midnapore, Contai subdivision, Cossye division).

Sir, I also beg to move that the demand be reduced by Rs. 100. The object of the motion is to raise a discussion to draw the attention of the Government to take up the Kaliaghai Scheme and to finish it before the rainy season to avoid flood, not to throw away the scheme on the flimsy ground of law and to save the poor people of Contai from devastations of flood to make the Irrigation Department to be a little bit careful before every rainy season by way of making special arrangement to guard the *Bandhs*.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that the demand of Rs. 33,97,000 for expenditure under the head "XVII, etc.—Irrigation" be reduced by Rs. 100. The object of the motion is to raise a discussion about the following:—

(1) Failure of the Government to give effect to the scheme regarding the Gumti embankment in the district of Tippera with a view to prevent annual breaches in the embankment causing destruction of crops over a large area.

(2) Postponement of the scheme for the re-excavation of the Marjora *Khal* in the district of Tippera, provision for which was made in the budget of the year 1941-42

(3) Postponement of the scheme for draining the *hils* and swamps lying to the north of the Kristopur Canal, provision for which was made in the budget of 1941-42

(4) Deepening of the river Titas in the district of Tippera in many places especially near Akhaura.

Sir, I beg to submit that the scheme regarding the Gumti Embankment has been hanging fire for the last 100 years although we have been crying hoarse and crying in vain.

Rai Sahib ANUKUL CHANDRA DAS: Sir, I beg to move that the demand of Rs. 33,97,000 for expenditure under the head "XVII, etc.—Irrigation" be reduced by Rs. 100. The object of the motion is to raise a discussion about the Ghuni-Jatragachi Scheme in the district of 24-Parganas.

The Hon'ble Mr. SHAMSUDDIN AHMED: Sir, almost all the movers have complained about the lack of policy, lack of any planned scheme and the lack of staff for executing even the meagre schemes that we have at present. Sir, in view of the criticism that might be

made against Government and in view of the speeches that might be delivered, I have prepared a speech myself. I will read out that speech before the House and I think my friends will be satisfied about the policy of the Government which has been reached after mature deliberation

Sir, in moving this demand for the Irrigation grant, I feel I must remind the House that we had no hand in framing this budget which had been planned and settled by our predecessors in office. Within the short time we had at our disposal, it was not practicable to make any radical alterations in this budget which has to be presented, as it was framed under the shadow of this great war which flared on the Far Eastern front The financial implications of the budget as a whole have already been explained at length by my worthy colleague, the Hon'ble Finance Minister, and I need not repeat them beyond saying that we have been constrained for want of funds to drastically curtail our programme of new expenditure during the coming year While this holds good of the budget as a whole, another important factor which has specially affected adversely the many-sided beneficial activities of this nation-building department of which I am in charge, is the gradual depletion of our superior staff in consequence of the deputation of our trained and experienced executive engineers to meet the increasing demand for engineering services for the successful prosecution of the war Four of our Executive Engineers, who were Europeans, had to be relieved for active military duty at the beginning of the war, and two more of our senior officers with a large number of trained officers and subordinates had to be placed at the disposal of the Government of India in connection with the defence work In consequence normal activities of the department had to be curtailed to some extent, and I am afraid it will be necessary to curtail them further as the war progresses It will however, be my endeavour to see that neither the works which had already been commenced, nor such new works as are imperatively urgent are put off as far as practicable.

The House will now realise why only two new works have been provided for in the next year's budget These two schemes have been selected because of their imperative urgency One of these which has been provided for in the Irrigation budget aims at the improvement of the drainage of the northern *bil* area of the Madaripur *Bil* Route in the district of Faridpur, for which there is a keen and insistent local demand. Frequent complaints were made by the local people about serious drainage congestion in this area and His Excellency the Governor in reply to the addresses presented to him at Faridpur on the 24th July, 1940, informed the local public that a scheme to eliminate or reduce drainage congestion in this area had been under

been designed to remove this standing complaint of the local people who have been suffering very much both physically and materially on account of water-logging which is a menace to their health and to agriculture, in particular to paddy and jute in the Northern *Bil* areas which remain under water for the major part of the year. As the boat communication is the only communication in the locality it will be benefited by the scheme which will afford facilities for navigation also, providing as it does, for both drainage and navigation channels. The scheme was drawn up after a detailed contour survey. The estimated expenditure for the work during 1942-43 is Rs. 10,000.

The other new scheme provided for in the budget under the head "Loans and Advances"—advances under special laws is the Panipia scheme drawn up with the object of affording relief to the drainage congestion in the Contai subdivision of the Midnapore district. The scheme is imperatively urgent in view of the pressing need for relief to the drainage condition as the late Hon'ble Minister in charge of the Revenue Department saw for himself in August, 1940, when the floods were at their highest. The scheme was at first drawn up under the provision of the Bengal Agricultural and Sanitary Improvement Act (Act VI of 1920). But the dilatory procedure as provided under this Act is unsuitable to meet the exigency of the situation when speed is an all-important factor. It has, therefore, been decided to take up the scheme under the Embankment Act. The estimated cost of the scheme is approximately Rs. 1½ lakhs of which Rs. 10,000 will be required for expenditure during 1942-43.

Among the new works which were provided for in the current year's budget, the following are worth mentioning:—

(1) Improvement of the Bemorta *Khal* in the district of Khulna.

(2) Excavation of a chord cut from the old Kumar river to the Upper Kumar river for improvement of the Lower Kumar river in the Faridpur district.

(3) Improvement of the Dhurang *Khal* in the Chittagong district.

(4) The Bidyadhari-Peali scheme in the district of 24-Parganas for the relief of drainage congestion in the south and south-east of Calcutta.

(5) Draining the *bils* and swamps lying to the north of the Kristopur Canal (Ghuni-Jatragachi scheme—24-Parganas district).

(6) Improvement of the Karnapara *Khal* in the district of Dacca.

(7) Improvement of the Marjora *Khal* in the district of Tippera.

(8) Establishment of a River Research Institute in Bengal, about which my friend Dr. Sanyal has spoken just now.

Of these the scheme for the improvement of the Marjora *Khal* in the Tippera district has been abandoned, as after further investigation and survey this scheme has been found to be technically unsound. I beg further to inform the House that the scheme for draining the *bils* and swamps lying to the north of the Kristopur Canal (Ghuni-Jatragachi scheme) has been postponed owing to the Corporation of Calcutta not having completed the construction of their dry weather flow channel for the drainage of sullage of Calcutta, which is to serve as the outfall of the proposed scheme.

The works in connection with the rest of the schemes have, however, been started during the current year and further provisions for their progress as well as for the progress and completion in some cases of other schemes started during the previous years such as the improvement of the Aurora *Khal* in the Hooghly district, improvement of the Tolly's Nala in the 24-Parganas district, flood protection in the right bank of the Damodar river, in the Burdwan district, drainage of the Bhedra *Bil* in the Natore Subdivision of the Rajshahi district, reclaiming the silted-up Madhumati river in the Khulna district, contour survey of North Bengal and diversion of the Noakhali *Khal* in the Noakhali district have been made in the budget for the next year. Of all the new schemes on which work has been started this year the scheme for the establishment of a River Research Institute in Bengal is most important and I shall deal with it later.

The total provision for works including surveys in progress in the next year's budget is Rs. 5,89,600 as against the current year's budget grant of Rs. 5,81,000. In addition to this sum there is a further provision of Rs. 50,000 for grant-in-aid to the District Boards in furtherance of the new policy of decentralisation which was inaugurated by the late Ministry for execution of comparatively small projects of purely local importance in accordance with the new policy of decentralisation. I have not been long enough in office to express a definite opinion on the new policy beyond saying that although several District Boards have come forward with their schemes the response has not been as satisfactory as was expected, and that want of competent staff trained in Irrigation and allied subjects has also hampered the successful prosecution of this policy. In view of the important facts mentioned above which have a vital bearing on the success of the scheme, a reconsideration of the whole matter appears to be called for.

As regards other items of expenditure, viz., maintenance and repairs, tools and plant, establishment, both voted and charged, suspense, etc., provisions have been made in the next year's budget

strictly in accordance with the normal requirements of the departments except under the head "Maintenance and Repairs" where an increased provision of about Rs. 2 lakhs over the normal grant has been made for special repairs to the Anderson Weir of the Damodar Canal Project, which was damaged by a heavy flood in the river Damodar on the 12th October, 1941. As the Damodar Canal Project is a going concern on which a large capital (about 1¼ crores of rupees) was expended, the damage done to the weir must be repaired before the next monsoon. The estimated cost of repairs during this year and the next is Rs. 3,82,000.

There has also been a slight variation due to normal growth in the provision for establishment charges (voted). No provision has been made in the next year's budget for expenditure out of the Government of India's grant, as the amount allocated for expenditure out of this grant on minor drainage and flushing schemes and on improvement of village communication including waterways has almost been spent. It would, however, be gratifying to note that 28 minor drainage and flushing schemes were taken up from the Government of India's first grant and about 352 schemes for improvement of village communications including waterways were taken up and completed from the Government of India's second grant.

Sir, I have finished as regards the specific provisions made in the budget. With your permission I shall now refer to some of the major problems which confront the Department and have to be grappled with successfully if this once fair land of ours is to be saved from the death grip in which she finds herself owing to the deterioration of our magnificent river systems. "It is a remarkable fact," writes the Irrigation Department Committee, 1930, "that in spite of the great importance of the rivers of Bengal and their influence on the health and prosperity of the people, they have in the past been singularly neglected". The Committee might have gone further and added that in some cases at least these rivers and their distributaries and spill channels have been deliberately interfered with as in the case of the Hardinge Bridge. I am not going into the detailed discussion about the construction of bridges, particularly with reference to the Hardinge Bridge, but I want to say that the construction of the railway and other bridges has gone to a very great extent in retarding the work of irrigation in this province. I am saying this with a view to give an idea of the complexity of the problem involved in the resuscitation of the dead and dying rivers of Bengal. The mischief which a net-work of railway lines and roads with an insufficient number of inadequate waterways have done to the natural drainage or water carriage of the Province, has to be undone as far as practicable before the main rivers can be revived and made to function as in the days of yore. This is by no

means an easy task which is rendered all the more difficult by reason of the fact that our major rivers on which depend all the rest of the lesser waterways, transcend all political boundaries. Since our major rivers originate in and flow through the bordering Provinces and States for considerable lengths it is clear their efficient conservation does not depend on our effort alone but on the co-ordinated efforts of all the Provinces and States lying within their catchment basins through the agency of Inter-Provincial organisations. Even as regards rivers which lie entirely within the borders of Bengal they mostly depend on these major rivers for their supply and their resuscitation and conservation would obviously be impossible unless the parent channels could be efficiently conserved. It will, therefore, be clear that the problem has to be attacked both on the Inter-Provincial and Provincial fronts. In fact the former is more important as the solution of even those aspects of flood and other problems which can be dealt with within the Provincial sphere, such as improvement of the spill channels, provisions of spill areas, etc., is not likely to be successful in the long run unless simultaneously steps are taken through the agency of these Inter-Provincial Commissions to stop the mischief at its source, viz., minimising the rate of run-off and soil denudation which are gradually on the increase owing to intensive and often indiscriminate disafforestation in the catchment basins, giving us higher and higher floods, more and more silt choking the river channels and less and less dry weather flow with disastrous consequence to the area they traverse.

We, therefore, attach great importance to the Inter-Provincial aspects of our river problems and I am glad to be able to inform the House that a considerable progress has already been made towards constituting a Commission to deal with the Brahmaputra and Meghna rivers and their tributaries and another to deal with the Ganges and her tributaries. In fact as regards the former, on receipt of definite proposals agreed to by the Governments of Bengal and Assam, a conference of representatives of Provinces and States concerned was convened in Calcutta by the Government of India in January last under the Chairmanship of Hon'ble Sir Feroze Khan Noon which I had the privilege to attend. It was decided at this conference that the proposed Commission should be constituted by mutual agreement among the participating Provinces and States and that it should consist of two sections, viz., an Advisory Council consisting of technical experts and a Governing body consisting of Ministers and Chief Administrative Officers of States concerned to control the policy and finance——.

Dr. NALINAKSHA SANYAL: Are you quite sure of your statement?

The Hon'ble Mr. SHAMSUDDIN AHMED: Yes.

Dr. NALINAKSHA SANYAL: Sir Feroze Khan Noon said there definitely that the scheme could not be taken up because your Chief Engineer was not ready with the scheme. It was a scandalous affair.

The Hon'ble Mr. SHAMSUDDIN AHMED: Whatever Sir Feroze Khan Noon has said you might have heard——

Dr. NALINAKSHA SANYAL: Please do not read out things which are not true.

The Hon'ble Mr. SHAMSUDDIN AHMED: You have got the habit of interrupting persons. I am not in the habit of reading out an untruth. Please listen.

It was also decided that I should serve as Chairman, and the Chief Engineer, Bengal, as Secretary of another conference of representatives of Provinces and States which we are to convene shortly for consideration of the terms of agreement, a draft of which has since been prepared by the Chief Engineer and is now under examination in my department. I hope to be able to constitute this commission in the course of the coming year.

Regarding the Ganges Commission the report of the Interim Committee appointed by the Governments of Bengal, Bihar and United provinces with the object of drawing up the necessary constitution and functions is now pending before the Government. Owing to certain difficulties which have arisen it is proposed to deter further action till after the Brahmaputra-Meghna Rivers Commission has been constituted when, with a precedent to guide us, those difficulties are likely to be solved.

Dr. NALINAKSHA SANYYAL: Will you take the opinion of the House before you constitute the Brahmaputra Commission? We are definitely of opinion that this should not be constituted.

The Hon'ble Mr. SHAMSUDDIN AHMED: Referring to those aspects of our River problems on which action could be taken within the Provincial sphere the first requirement was to collect the essential data so that we can proceed on scientific lines. With this object in view Government, with the approval of this House, have undertaken extensive contour surveys. Surveys in Eastern and Central Bengal have already been completed and as I shall mention later, many comprehensive Irrigation and Land Flushing projects have been prepared.

Surveys in North Bengal are now in progress. As a result of the surveys already made the following schemes have been already prepared: —

		Estimated cost (Approximate).
		Rs.
1.	Howrah-Hooghly Flushing and Irrigation Scheme (districts Hooghly, Howrah and Burdwan) ..	3,10,00,000
2.	Moor Reservoir scheme—a purely Irrigation Scheme (districts Murshidabad, Birbhum and Burdwan) .	3,00,47,000
3.	Darkeswar Reservoir project—a purely Irrigation Scheme (district Bankura)	1,14,16,000
4.	Central Bengal Flushing Scheme (districts Murshidabad and Nadia)	47,45,000
5.	Satkahonia Irrigation Scheme (district Burdwan) . .	4,40,000
6.	Dolong Bil Drainage Scheme (districts 24-Parganas and Khulna)	6,17,000
7.	Datbhanga Bil Drainage Scheme (districts 24-Parganas and Khulna) . . .	1,73,000
8.	Improvement of drainage and navigation of the Northern Bil areas of the Madaripur Bil Route (district Faridpur) . .	97,000
9.	Panipia drainage scheme in the Contai subdivision of the Midiapore district	1,50,000

Of these the last mentioned two schemes have been provided for in the budget for the next year as already stated. The remaining schemes are under the consideration of Government.

During the pendency of the war with uncertain market conditions and with so many restrictions on the sale and transport of materials it will hardly be practicable to take up the construction of these major schemes of development which are so urgently necessary to ameliorate the present deplorable condition in the various parts of Bengal and which by the way, can be made to pay their own way under the provisions of the Bengal Development Act. But it is necessary to prepare them in detail, complete all the preliminaries which will take considerable time, and keep them ready for execution, so that there may not be any avoidable delay in launching a comprehensive construction programme soon after the war is over. This will also be helpful in finding employment for thousands of men now employed in various war activities but who will be thrown out of employment after the war is ended, thus creating a serious problem which the Government will

otherwise find it difficult to solve. But with gradually increasing demands on our already inadequate trained staff by the Government of India in connection with defence my department is finding it more and more difficult to continue its activities in this direction. The House will no doubt agree that in the present abnormal situation the requirements of defence should be given the first priority but, subject to this limitation, I can assure the House that all necessary steps will be taken to make these Development schemes ready for execution with the least possible delay.

Another important preliminary is to establish a River Research Institute in Bengal. Bengal was created and nourished by her rivers through centuries. She owed her ancient prosperity mainly to her magnificent River system and her present decadence in several parts is due to their deterioration. It is, therefore, not only to her own interest that she should have a fully equipped Institute where researches on the subject of River conservancy could be conducted on scientific lines but having regard to large river mileage which she possesses as compared with her size, it is a duty and obligation which we owe to civilization as it is only by such researches that human knowledge on the subject can advance. Besides, and this is perhaps more important from the point of view of the tax-payer, to ensure success of the proposals prepared by our Engineers, costing vast sums of money by necessary adaptation and elimination of such of them as cannot bear the scrutiny of test, it is very necessary in the interest of economy, that such proposals should first be tested by models in the proposed Institute at a trifling cost before they are taken up for execution. The House has already approved of the proposal to establish a River Research Institute in Bengal but, unfortunately, owing to the difficulty of procuring the services of a suitable Director to take charge of the Institute it could not be started during the current year. Necessary preliminary work has, however, been taken up and in consultation with Dr. N. K. Bose of the Punjab Institute a site on the Barrackpore Trunk Road has been finally selected. I hope to be able to start the Institute during the next year.

Sir, I have not been long enough in office to be able to say whether the policy which governs and regulates the many-sided activities of the Department calls for any change. In speaking of the problems which this Department has to deal with it is customary to speak of the health and economic prosperity of the people at the same breath. This is natural, seeing that the decline in agriculture which is the mainstay of Bengal has been accompanied by an increase in the incidence of malaria which takes a heavy annual toll of human life and debilitates the nation. This aspect of the problem was stressed with great emphasis by Dr. Bentley who saw a close and casual connection between a rise and spread of malaria and agricultural decline in the province and suggested flush or

inundation irrigation during the flood season as a remedy for this social and economic disease. This view did not find support with the Government of the day nor with their technical experts who, in the authoritative opinion of Sir William Willcocks, had tried every system of irrigation other than the system of "overflow" irrigation which the latter opined was the ancient system of irrigation so well suited to the conditions of Bengal. In the opinion of this great engineer who has spent his whole lifetime on irrigation works and in irrigated countries this ancient system of overflow irrigation alone is capable of bringing back the old prosperity of the country by combating malaria and ensuring a rich harvest of fish and rice—two principal items in the dietary of the Bengal peasantry. Let me quote the exact words of Sir William:—

"That the ancient irrigation of Bengal is alone capable of bringing back the old prosperity of the country is amply borne out by what has happened in the last seventy years. The Irrigation Department has tried its hand at every kind of Irrigation except the ancient irrigation The resulting poverty of soil, destruction of fish, introduction of malaria and congestion of the rivers have stalked the canals and banks; and the country is strewn today with the wrecks of useless and harmful works Let a return be made to the ancient irrigation of Bengal; and the country will be touched as with a magician's wand, and your ancient prosperity will be at your very doors. This will be so because the ancient irrigation of Bengal was flood irrigation and not perennial irrigation, as I have shown in paragraph 32 of my second lecture Your very rivers are rousing you to action. The Ganges has wearied of the engineers doing nothing to train it and has trained itself. It has put life into its old waterways Take its action as a summons from Heaven, enter upon your rich heritage of well-aligned and well-placed canals, and may God be with you in all you do."

This is essentially what is known as a "benefaction" measure, and this was exactly what Dr Bentley advocated as being specially suited to the conditions of Bengal where malaria stalks high with steady and gradual decline in agriculture and the economic condition of the people I am sorry to say that this beneficial measure which was so strongly recommended by two great and reputed authorities—one on malaria and public health and the other on irrigation, did not receive the amount of attention it deserved at the hands of the Government of the day. It shall be my endeavour to see how far this line of action can be made to fit in with the programme of rural reconstruction. This might involve a new orientation, if not, a new change of the policy which has hitherto been followed in the matter of irrigation, in that it would involve a greater degree of co-ordination of the nation-building activities of Government than has hitherto been practicable. As I have

already submitted before, it has not been possible for me to chalk out and formulate a definite policy in the matter and I am not in a position to make a definite commitment with regard to it, though I have no hesitation to say what is, in my opinion, the correct method of approach.

Dr. NALINAKSHA SANYAL: May I remind the Hon'ble Minister that the question will be put at 10-30?

The Hon'ble Mr. M. SHAMSUDDIN AHMED: Please allow me to finish.

Before I conclude I beg to say that with the danger of war now looming large before this country with the fall of Singapore and also with the fall of Rangoon, the situation for Bengal and Bengalees is perilous and the people of Bengal long unaccustomed to the hearing of the booming of guns and long unaccustomed also to undergo the hardships, travails and sufferings that follow in the wake of a present-day warfare. The unarmed and untrained crores of once tardy and prosperous Bengal population are passing their anxious days and nights in fear of an actual invasion by a foreign power. No one knows when the people of Calcutta will hear the roar of aeroplanes and the dropping of bombs from those planes which would create havoc and destruction on the people of Bengal and no one can realise the still more anxious situation through which the people of Chittagong are passing their days and awaiting any moment an actual invasion by land. Sir, placed as we are in this dangerous situation it is difficult for me to lay before you any fresh programme of constructive scheme just at present or to make any definite promise of early execution of those big projects that are now under examination. What I propose is that I shall try to examine the scheme I have told you and Government would try to push forward a scheme wherein the future of Bengal, the Bengal of our dream wherein there would be no scope to think in terms of communities and compartments and wherein again the mighty rivers would play their prominent part in shaping the destiny of the nation and the half-clad, ill-fed, malaria-stricken Bengal peasantry would be the most happy, contented and prosperous peasantry ever were conceived of by the introduction of a planned system of irrigation. I know our path is strewn with difficulties but with confidence and courage and with the active help and co-operation of the population of the province and with the help of Providence we shall be able to make Bengal as prosperous and healthy, wealthy as it was in the days of yore.

Mr. DEPUTY SPEAKER: I will now put the motions to vote.

The motion of Maulvi Ahmed Ali Mridha that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Harendra Nath Dolui that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs. 100, was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs. 100, was then put and lost.

The motion of Maulvi Ahmed Ali Mridha that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs. 100, was then put and lost.

The motion of Dr. Sharat Chandra Mukherji that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Iswar Chandra Mal that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Iswar Chandra Mal that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs 100, was then put and lost.

The Motion of Rai Sahib Anukul Chandra Das that the demand of Rs. 33,97,000 for expenditure under the heads "XVII, etc.—Irrigation" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Mr. Shamsuddin Ahmed that a sum of Rs. 33,97,000 be granted for expenditure under the heads "XVII —Irrigation—Working Expenses—18—Other Revenue Expenditure financed from Ordinary Revenues—18(1)—Other Revenue Expenditure financed from Famine Insurance Fund—19—Construction of Irrigation, Navigation, Embankment and Drainage Works—B—Financed from Ordinary Revenues and 68—Construction of Irrigation, Navigation, Embankment and Drainage Works", was then put and agreed to.

50—Civil Works and 81—Civil Works not charged to Revenue.

The Hon'ble Mr. SHAMSUDDIN AHMED: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,43,64,000 be granted for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue".

Sir, I may mention that this figure excludes a sum of Rs. 11,98,000 on account of charged expenditure so that the total budget estimate comes to Rs. 1,55,62,000 inclusive of establishment charges on Civil Works.

Mr. MIRZA ABDUL HAFIZ: Sir, I beg to move that the demand of Rs. 1,43,64,000 under the head "50—Civil Works" be reduced by Rs. 100. The object of the motion is to raise a discussion about the policy and principle of the Government in regard to this matter and about the grievances of the Muslims in connection with the direct recruitment as well as promotion in the department and other matters.

Sir, under this head our revenue receipt for 1942-43 is Rs. 36,82,000 while our budget estimate for the year 1941-42 was Rs. 41,33,000, that is, our revenue for the next year has been under-estimated than the current year by Rs. 4,51,000.

Again, from the actual receipt of 1938-39 which was Rs. 29,00,000 only it has been increased this year by Rs 7¾ lakhs which is to some extent satisfactory. By this I intend to show that the receipt under this head—Communications and Buildings Branch, can be increased to an enormous scale if it is ably and efficiently handled by pursuing a well thought-out clear-cut policy and programme.

Sir, out of this receipt of Rs. 36,82,000 how much do we get on the item of rent—only 4,00,000, while the Bengal Government is to undergo the expenditure of a huge amount per annum for bearing rents of many hired houses throughout the Province for Government offices under the different portfolios. If the Government prepares a thorough scheme after surveying the Province that so many buildings are still required for the different offices at different places under each of such portfolios and so many buildings are required for the Government servants for letting on rental system, then if this department persistently by its able and efficient officers begin to follow that scheme to work out by erecting buildings, I think in some years to come Government may come to such a position that its revenue may under this head on the item of rent only rise to 40 lakhs instead of 4 lakhs as it stands now.

And this policy can be expressed more clearly as the policy of erecting buildings for the rest of the Government offices and Government servants, who live in private persons' houses, under every department in an exhaustive and comprehensive manner as far as practicable on rent system.

On the expenditure side we find that about 12 lakhs of rupees have been budgeted less for the next year than that of the current year. Sir, the budget estimate for 1942-43 is Rs. 1,56,62,000 while that of the year 1941-42 was for Rs. 1,68,31,000.

May I now ask, Sir, where there are no good road system in rural areas, no happy connecting link between town to town, city to city, far less to speak of short-cut district town to district town, where many Government offices are conducted on private persons' houses at an enormous cost—why this year's budget has been estimated so less?

Now, Sir, coming to the next point, this is a department notorious for its wastage by a handsome amount every year, corruptions and briberies are not foreign from here but rather reign supreme almost everywhere at some rate or other which should be removed.

Next, Sir, in this department the grievances of the Muslims are manifold and multifarious. Sir, I know I may be called by some of my friends of Congress and Hindu Mahasabha as communal, as I speak of the interests of the Muslim community to which I am very proud to belong. Sir, what the so-called national leaders and friends think is that what they say and do, however bitterest communalism they may have are all national and even their laughs or cries are national, but wih respect to the Muslims, in spite of their usual frankness and tolerance, liberality and magnanimity of heart, they are communal. Their legitimate rights and privileges are usurped for ages and centuries, they are exploited, exploited and exploited to the last penny as a whole in every sphere of life by many vocational or non-vocational people of their sister communities with honourable exceptions indeed, but still if any of their such long-aggrieved victims raises his head from slumber, raises single finger he is communal.

However, Sir, as the department stands, I crave your indulgence to place before the House for its information the grievances of the Muslims with respect to services

Sir, in the Irrigation Branch there are—1 Chief Engineer on Rs. 3,000 and less, who is not a Muslim; 3 Superintending Engineers on Rs. 2,150 and less, who are not Muslims; 9 Executive Engineers on Rs. 1,375 and less, who are not Muslims; 5 Executive Engineers on Rs. 1,000 and less who are not Muslims; 18 Assistant Executive Engineers on Rs. 750 and less, of whom three only are Muslims; 10 Assistant Engineers on Rs. 650 and less, of whom 4 are Muslims; 4 temporary Engineers, of whom only 2 are Muslims; i.e., out of 50 only 11 in the lower ranks are Muslims, i.e., only 22 per cent.

Now, Sir, coming to the Communications and Buildings Branch, there are 2 Chief Engineers on Rs. 3,000 and less, but there is not a single Muslim in that post. There are 5 Superintending Engineers on Rs. 2,050 and less and none is a Muslim. There are 4 Executive Engineers on Rs. 1,375 and less and none is a Muslim. There are 2 Executive Engineers on Rs. 1,300 and less and none is a Muslim. There are 10 Executive Engineers on Rs. 1,000 and less and none is a Muslim. There is 1 Assistant Executive Engineer on Rs. 900 and less and he is also not a Muslim. There are 19 Assistant Engineers on Rs. 750 and less and none is a Muslim. There are 23 Assistant Engineers on the scale of Rs. 150—650 of whom 9 are Muslims. So out of 66 only 24 are Muslims, that is only 13 per cent. are Muslims.

Again in the Electrical Circle there is one Superintending Engineer on Rs. 2,150 and less and he is not a Muslim. There are 3 Executive

Engineers on Rs. 1,400 and less and none is a Muslim. There are 3 Assistant Engineers on Rs. 700 and less but none is a Muslim. So, of 7 in the Electrical Circle none is a Muslim. Such is the misfortune of the Muslims for which we want an effective remedy gradually.

Sir, one point more and then I finish. With respect to the distribution of contracts, the Muslim contractors are the worst sufferers. Sir, over a crore and a half including that of the Irrigation Branch are spent almost every year for the purpose, but how much the Muslim contractors get therefrom—perhaps only one per cent. and a half. Sir, on this point I beg to suggest that a percentage not less than fifty be fixed on estimate money which should go to the Muslim contractors in all Government contract works if there is no dearth of Muslim candidates anywhere.

Sir, in the interest of the public at large—Hindus and Muslims—we welcome a new era in the hands of the new Minister the Hon'ble Mr. Shamsuddin Ahmed in this department.

Sir, with these remarks I commend both of my motions to the House for acceptance.

Mr. DHIRENDRA NATH DATTA: Mr. Deputy Speaker, Sir, in an atmosphere of unreality it is difficult to speak but I shall finish what I have got to say in a few words. Sir, I beg to move the motion that stands in my name, viz.: That the demand of Rs. 1,43,64,000 under the head "50—Civil Works" be reduced by Rs. 100. The object of my motion is to raise a discussion about—

(*i*) the general policy of the Government;

(*ii*) the delay in carrying out the works begun; and

(*iii*) the small amount allotted for development of roads in the Chittagong Division under the Executive Division, Chittagong.

With regard to the general policy I shall finish what I have got to say in a few words. At page 24 of the big book—Civil Works in the Bengal Presidency—it will be found that a sum of Rs. 57,30,150 has been provided for buildings, both original and repairs, and a sum of Rs. 50,00,860 has been provided for Communications, both original and repairs. I beg to submit, Sir, that the policy in spending more on buildings than on communications, as will appear from page 4, is certainly to be condemned. I know, Sir, that big buildings at a huge cost are constructed for educational institutions and there remains nothing for really educational purpose. I know, Sir, that big buildings are constructed for hospitals and nothing remains for purchase of instruments, for purchase of medicine, and the whole amount is spent for construction of big buildings. This sort of spending on buildings is to be deprecated.

Then, Sir, it is of no use to talk about corruption and bribery in this department. So long the department was known as Public Works Department; it was really a Public Waste Department and I hope that henceforth definite steps should be taken by Government for driving away corruption and bribery from this department.

Before I go to the other subject I wish to draw the attention of the House to the fact that so far as the Road Development Fund is concerned about Rs. 30,15,000 has been transferred from the Central Road Development Fund but still there is no likelihood of this sum being spent.

With regard to the delay in taking up the work, if you refer to page 24 of the book, you will find that most of the items have been taken up long before. I know that item No. 87, that is, Comilla-Mainamati-Daudkandi Road, was taken up in the year 1935; to-day in the year 1942 the work has not yet been completed. As this work has not been completed in the course of 7 years, no other works can be taken up in this district. You know, Sir, that this is a road which leads from Daudkandi to Chittagong. It is known as the Trunk Road and a Pilgrimage Road and it is one of the most important roads of the province. Only metalling and modernising 30 miles of this road has taken 7 years. The road from Daudkandi to Chittagong is more than hundred miles, and if for metalling and modernising 30 miles it has taken 7 years I am quite sure that at least 25 years will be necessary for modernising the whole road.

Again, Sir, if you look to the other items—items Nos. 88, 89, 90, 91, 92, 93 and 94—you will find that in all these items the works were taken up some years ago—some in the year 1935-36 and some in the early part of 1937-38, but none of them have been completed. As regards item No. 97, that is, modernising Meherpur-Chuadanga Road, Rs. 10 lakhs was provided for 18 miles and up to 1941-42 only Rs. 11,000 has been spent and this year it is proposed that a sum of Rs. 1,75,000 will be spent. I do not know whether that amount will be spent at all and I am quite sure that modernising these 18 miles road will take another 7 years. For the improvement of the road from Begumganj to Madali in the district of Noakhali Rs. 8,00,402 was provided in the year 1938-39 or 1937-38 and up to the end of 1940-41 only Rs. 45,737 has been spent. Sir, the figures speak for themselves and if any improvement is to be done the works must be done expeditiously and properly. This is, Sir, with regard to delay in carrying out the works.

Then, Sir, I refer to item No. (*iii*). A small amount has been allotted for the development of roads in the Chittagong Division under the Executive Division, Chittagong. If we look to the book at pages 28-29, we will find that the amount that is proposed to be spent on road development work is Rs. 30 lakhs and odd. So far as the Chittagong Division is concerned, only Rs. 2,61,000 is proposed to be

spent in certain portion of the Chittagong district. I do not grudge that Burdwan district alone has got a large share of Rs. 12,55,000 while many other districts have not got any share. I do not know why Burdwan has got such a big sum. So far as Rajshahi is concerned, no amount has been provided in the budget. I am quite sure that there are roads in the Rajshahi district which ought to be developed and modernised, but no amount has been provided so far as that district is concerned. Rajshahi is the most unfortunate district in that respect.

Dr. NALINAKSHA SANYAL: It is not shown district by district.

Mr. DHIRENDRA NATH DATTA: I know that, but the money ought to be provided according to the importance of the district. I do not like to prolong my speech, but if I refer to the importance of the district, I am quite sure that less attention has been given to the Eastern Bengal districts than to the Western Bengal districts. I do not know whether I am right or wrong, but I feel it in this way. I hope that the Hon'ble Minister will pay his attention to this fact also. Sir, I have thus drawn the attention of the House to three facts, namely—(1) General policy; more money should be spent on communication and roads than on buildings, (2) work should be done speedily, and (3) attention should be paid to all the districts—not only to the Western Bengal districts but to the Eastern Bengal districts as well, so far as roads are concerned.

Dr. NALINAKSHA SANYAL: Western Bengal needs more roads. There are many rivers in the Eastern Bengal.

Mr. DHIRENDRA NATH DATTA: Yes, but Eastern Bengal needs roads too.

So, Sir, these are the three matters to which the attention of the Hon'ble Minister is drawn and I am quite sure that the Hon'ble Minister will take note of what I have said and will try to improve the matter.

With these few words, Sir, I commend the motion for the acceptance of the House.

(Mr. Syed Abdul Majid rose to speak.)

Mr. DEPUTY SPEAKER: Mr. Majid, may I take it that you are not moving your own motion but will only support motion No. 81?

Mr. SYED ABDUL MAJID: Yes, Sir. I like to support my friend Mr. Dhirendra Nath Dutta who has just spoken on the general policy of Government in the matter of Civil Works. At least I would like

to support him when he says that the money which is provided for "Civil Works" should be spent after careful consideration. Now, Sir, I propose to confine my remarks to one particular item included in the budget under this head, viz., at page 73 of the Red Book, construction of buildings for the location of the headquarters of the district of Noakhali at Begamganj. For a proper appreciation of the question, I like to give a little history of the case. The headquarters was to be shifted to Maijdi about five miles north of the present headquarters and a huge sum of Rs. 15 lakhs had been spent in acquisition of land and in construction of buildings for Government offices, in waterworks and other necessary works connected with the location of the headquarters. When everything was ready for shifting of the headquarters to Maijdi, representation was made by a large number of people against the shifting of the headquarters to Begamganj. The Hon'ble Chief Minister Mr. Fazlul Huq, the then Revenue Minister and the then Commerce and Labour Minister paid a visit in the winter of 1937 and decided to abandon and actually abandoned the idea of shifting the headquarters to Maijdi and appointed a committee of enquiry to select another site more suitable for the location of the headquarters. The committee submitted a report which was not however unanimous, majority of the members suggesting that the headquarters should be located at Begamganj about 10 miles north of the present headquarters and the minority advocating postponement of shifting the headquarters to Begamganj, for very good reasons which will be quite clear from what I will submit just now to you. The land acquired and raised at Maijdi and most of the buildings constructed at a huge cost and the land has been lying fallow and the buildings quite empty and unused.

Mr. DHIRENDRA NATH DATTA: This is a matter relating to the department of the Hon'ble Minister in charge of Land Revenue.

Mr. SYED ABDUL MAJID: Not land revenue. Money has been provided but has not been spent this year and another sum of Rs. 5 lakhs has been provided in the next year's budget, but there is no chance of the work being taken up.

Now, Sir, as I was saying, the land at Maijdi has been lying fallow and the buildings quite empty and unused. The shifting of the headquarters had been considered essential at one time owing to the heavy erosion of the Noakhali town by the river Meghna on the south and by the Noakhali *khal* on the north and east. The erosion by the Meghna has stopped and a vast *char* extending over 7 or 8 miles on the south has been formed and the erosion by the Noakhali *khal* on the north has also been stopped on account of a dam being erected across the *khal* and the water course diverted by cutting a new *khal* through the Baraighona *char* about half a mile north-east of the town.

As has just been mentioned by the Hon'ble Minister, Government spent last year more than 60 thousand in construction of the dam across the *khal* and excavation of the *khal* through Bariaghona with appreciably satisfactory result. There is no longer any apprehension of further erosion of the town in near future. Although the major portion of the town has been washed away one can reasonably expect that the town in the present site will again grow and be prosperous as before if it is allowed to remain here for some time. Extension of the present town will be quite possible in the land formed *in situ* in the course of a few years. Government have sanctioned an estimate of Rs. 40 lakhs for shifting the headquarters to Begamganj. Rupees 5 lakhs was provided in the budget of the year 1941-42 and a further sum of Rs. 5 lakhs has been provided in this budget. In view of the hopeful position of the present town and also in view of the reply given yesterday by the Hon'ble Revenue Minister that the work would not commence this year due to war conditions and in view of the further fact that Noakhali is in forefront of the danger arising out of the present war, I consider that it will be wise and safe on the part of Government to postpone the work of the new town at Begamganj for some time until the end of the war, for it will be extremely foolish if the shifting of the headquarters to Begamganj has to be abandoned after some time for want of fund or for any other reason like that of Maijdi and it will be ruinous to those unfortunate people whose hearths and homes are being taken away for a very meagre price for the proposed town at Bagamganj. I would further suggest that the Government should immediately postpone the acquisition of land which is calculated to cause an irreparable loss to thousands of people of the area and cause unnecessary cost at a time when the Government is hard pressed for money. I would further beg of the Hon'ble Minister in charge of Civil Works as well as the Revenue Minister to consider whether it will not be in the interest of Government as well as in the interest of the people concerned to stop the work as soon as possible.

With these words, Sir, I support the motion of Mr. Datta.

Mr. DHIRENDRA NATH DATTA: It is no support to my motion. I do not agree with what you have said.

Mr. SYED ABDUL MAJID: You may not.

Mr. SERAJUL ISLAM: Mr. Deputy Speaker, Sir, I beg to move that the sum of Rs. 1,43,64,000 under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. The object of my motion is to raise a discussion about the Bongaon-Kamdevpur Road project in Jessore district.

Sir, I do not want to inflict any lengthy speech on the House at the fag-end of the day but on this particular subject I would like to draw the attention of the Hon'ble Minister in charge of the Department to the fact that this is a very important feeder road in the subdivision of Bongaon. Although this road is an inter-subdivision road, it has an inter-district connection in this way. This road is about 30 miles long and it connects the Majdia-Kotchandpur road of the Nadia district which again connects the Eastern Bengal Railway station at Majdia. Again this road connects the Calcutta-Jessore road which is a trunk road and which again, through the Navaran-Satkhira Road, connects the Khulna district. Therefore, this road of the Jessore district serves as a connecting link between Nadia and Khulna districts running through the subdivision. Sir, this is a road of the rural areas of the subdivision and I can freely say that about three-fourths of the people of this subdivision have got to carry on their trade in jute and other country produce entirely through this road to get to the market at Bongaon which, you know, is a commercial centre. The Calcutta-Jessore Road runs through the town of Bongaon which is a Railway junction on the Eastern Bengal Railway and the navigable river, Ichamati runs across this town. So this town is a very good trade centre and three-fourths of the people of the subdivision have got to carry on their trade through this road. In view of its importance, the Road Development Officer, Mr. King, included this road in his road project and the District Board of Jessore, in their resolution, dated the 20th September, 1940, gave this road, among all other road projects, the first preference and strongly recommended it to the Road Board. In this connection, I would like to draw the attention of the Hon'ble Minister to the resolution of the Government of India regarding the Road Fund. Paragraph 8 of the Resolution runs thus:—

"In considering the proposals for the construction, reconstruction or improvement of roads and bridges from the Road Fund, the Governor General in Council shall have regard to the present urgent need for improving the efficiency and reducing the cost of transport by road of agricultural produce to markets and railways."

Sir, hitherto the principle and policy of the Department have been to pay attention only to the trunk and bigger roads but I think the attention of the members of this House was drawn to the very important series of articles published in the *Bengal Weekly* by the ex-Finance Minister, the Hon'ble Mr. N. R. Sarkar, in which he urged upon the Government to pay special attention to the roads of the rural areas so that the business in country produce of the people might improve through the development of such roads, and specially the roads in the improvement project. This road, the Bongaon-Kamdevpur Road, is in the Road Development Project of Mr. King and the District Board has given the first preference to this road over all other roads in

the district of Jessore. I, therefore, earnestly hope that the Hon'ble Minister will kindly see that the work on this road is taken up as early as possible by Government.

Sir, if I get a little time, I may tell the House that in view of the present war emergency the district town of Jessore and the surrounding areas have become very important places. Thousands of soldiers are to be seen there now. (Dr. NALINAKSHA SANYAL: Don't mention that.) An aerodrome is also under construction and we understand that a road is going to be constructed connecting Jessore directly with Chuadanga or some other place nearby on the Eastern Bengal Railway for military purposes and in view of the fact that this road is also a road which may serve the purpose of connecting the Calcutta-Jessore road with the Majdia-Kotechandpur Road which is a very important metalled road, I would request the Hon'ble Minister to consult the Department to see whether the development of this road may serve the same military purpose for which some other road is going to be constructed soon. I hope that immediate attention will be given to this matter.

With these few words, I commend my motion to the acceptance of the House.

Dr. NALINAKSHA SANYAL: Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 1,43,64,000 under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100. The object of my motion is to raise a discussion about the failure to adopt a comprehensive policy of road development including village roads and slowing down of the progress of work under the Road Fund Projects.

My esteemed Deputy Leader has already drawn the pointed attention of Government to the latter part of my motion, viz., slowing down of the progress of work under the Road Fund Projects. I would like to draw attention only to some other schemes than what he has already mentioned and I shall conclude my observations on this part. The first of these are the Burdwan-Arambagh road project, the amount of estimate for which is Rs. 12 lakhs roughly and for which this year Rs. 20,000 only has been provided, the total amount spent so far coming up to Rs. 8 lakhs. It is presumed that it is not possible to make any further progress with regard to that road because of certain bridge construction. I do submit that so far as that is concerned, apart from the bridge portion, the road portion may possibly be proceeded with. Secondly, in the detailed budget of the Civil Works Department, on page 25, the improvement of the road from Sainthia to Sultanpur in the district of Birbhum will be found. This project was sanctioned nearly 4 years ago and Rs. 5 lakhs provided as an estimate for that road, out of which Rs. 90,000 was spent in the previous year and

Rs. 1,44,000 is the probable expenditure during the current year. I am surprised that only Rs. 35,000 is provided for expenditure in the coming year although there is hardly any bridge project on that road. The entire road can be completed with our local materials, materials which can be got without adding to the railway transport problems. The materials required are local stones with the requisite quantity of which collected near about the road may be constructed. Then the cost of improvement of the Kandi-Sultanpur road was estimated at Rs. 6 lakhs, out of which Rs. 1,50,000 has already been spent and we find Rs. 1½ lakhs only has been provided in the budget for the same. I am not sure if Government intend to complete that portion during the coming year. If that was so, more money should have been provided for. I submit that these two sections, viz., Kandi-Sultanpur road and Sultanpur-Sainthia road, form important links to the east to west trunk road which the Government of Bengal had intended to construct at a very early date.

Sir, I also drew attention to two very important sections of another trunk road—the North and South Trunk Road—in the district of Nadia. The Hon'ble Minister knows the Trunk Road running from Ranaghat to Meherpur having three sections, namely, the Ranaghat-Santipur section, the Santipur-Krishnagar section and the Krishnagar-Meherpur section, which would go to meet a very pressing need of the district. We are, however, very much depressed to find that the amount provided for the Krishnagar-Meherpur section is too meagre and that the estimate for the completion of this road appears to have not been made so far also. I submit, also Sir, that immediate arrangement should be made to proceed with this work and to link up Meherpur with Berhampore. This section will then complete the circuit from Calcutta to Berhampore and will join the east-to-west Trunk Road with the south-to-north Trunk Road running from Calcutta towards the north and from Birbhum towards the east. While dealing with this matter, Sir, I should also like to draw the attention of the Hon'ble Minister to the delay in the progress of improvement and reconstruction of the roads from Meherpur to Chuadanga and from Chuadanga to Jhenida which were also on the approved list for a very long time. We submit that steps should be taken to expedite work in these directions.

With regard to the first part of my motion, namely, the present road development projects including village roads, I feel very strongly on this subject.

So far, we have only heard about road projects of a very magnificent character and projects which involve from nearly Rs. 25,000 a mile to Rs. 50,000 to Rs. 60,000 or more a mile: even there are sections of roads which are approved by the Engineering Department costing nearly Rs. 1,00,000 a mile but with the money which we will be in

a position to spend in the next few years it may not be possible for us to have a larger number of roads for which the country is crying unless we have a scheme for improving the village roads. In this connection I may draw the attention of the Hon'ble Minister to what the Bombay Government did during the Congress regime. They appointed a Special Officer, a senior Engineer officer, Mr. U. N. Mahida who drew up a scheme of village road improvement which was duly handed over by me in this House to the then Hon'ble Minister in charge last year. It is mentioned in that report on village road improvement that it was possible to construct decent village roads at a cost of Rs. 1,000. per mile Rs. 500 of which would be the cost of the road and the other Rs. 500 would be the cost of raising the embankment. I submit that we should also have some programme for improving our village roads. In connection with the drawing up of that programme I would request the Hon'ble Minister to see if any legislative measure is necessary for the alignment of roads in the villages. It is our unfortunate experience that in villages roads are converted into drains for such villages and that villagers also take particular delight in encroaching upon the road boundaries so that the road is narrowed down from time to time. I submit, therefore, that we should have some plan for village road development and that we should have some legislative measures passed to empower Government to maintain road alignments and thereby to enable the villages to have improved roads. I do realise that in Bengal the advantages of the soil are not the same as in some other parts of India but with the clay and sand which we possess in sufficient quantity, without depending upon cement such as Portland cement, I am convinced by my personal experience of the roads constructed in Bombay, some of which I was shown over by the Bombay Engineer, that it is possible to have decent roads in Bengal for Rs. 1,000 a mile which would stand normal traffic and also motor traffic in certain seasons of the year. I submit, Sir, that the time has come when we cannot take up ambitious projects due to present war conditions and that we should therefore pursue humbler projects which are needed in the country.

Mr. C. MORGAN: Mr. Deputy Speaker, Sir, my friend, Dr. Sanyal, said a few days ago that we were meeting in an atmosphere of unreality, and that is perfectly true. I find that the interests of honourable members being seemingly concentrated on party differences it is difficult to speak on any practical matter which would really interest the members of this House.

Sir, I support the motion moved by the Hon'ble Minister and in doing so I may say that I am glad to see that at least the Communications and Works Department has been able to spend the money which has been accumulating during the last five years——

Dr. NALINAKSHA SANYAL: That has been simply squandered.

Mr. C. MORGAN: Mr. Deputy Speaker, will you kindly see that I am not disturbed by Dr. Sanyal in this way?

Mr. DEPUTY SPEAKER: Yes, Mr. Morgan, you can go on.

Mr. C. MORGAN: I do not propose to go into the details, but I have one small local matter which is of definite importance. There are a number of projects in the Red Book into the details of which I shall not enter. The programme put forward for 1942-43 seems to be satisfactory but there is bound to be a curtailment of that programme owing to the position created at present by war, and it will be the duty of the Hon'ble Minister in charge and his department and also of the Provincial Board of Communication to see that only urgent and essential works are undertaken so far as roads are concerned. I would also like to ask the Hon'ble Minister how petrol-rationing which has been in vogue for some time now will affect our share of the money in 1942-43. Does the amount of Rs. 30,15,000 which is mentioned on page 111 of the Red Book represent the estimated amount we are going to get or is it the actual amount at our credit from the Central Government? I also want to know, Sir, how much does the Hon'ble Minister expect to get from the provincial tax on motor spirit. There again, the amount that has been budgeted may be only the estimated amount but petrol-rationing may have upset these figures.

Now, Sir, I should like to refer to one small item to which I desire to draw the attention of the Hon'ble Minister and that is that there is still a Special Officer in charge of the Road Fund. From my own experience of the last few years, Sir, I consider that no Special Officer is necessary——

Dr. NALINAKSHA SANYAL: You are entirely wrong.

Mr. C. MORGAN: You are entirely wrong in addressing me, saying "you". Please address the Chair.

In my opinion the actual work of the Special Officer is now finished——

Dr. NALINAKSHA SANYAL: No, it is not.

Mr. C. MORGAN: Sir, I object to be contradicted in this fashion.

Mr. DEPUTY SPEAKER: You, please, go on, Mr. Morgan.

Mr. C. MORGAN: But I cannot go on while I am disturbed in this fasion. I have got ears and the interruptions have an effect on me like a mosquito.

I wish also to draw the Hon'ble Minister's attention to one other item only. In the Kalimpong development area after a lapse of 20 years some work is being done and in the Budget members will see certain items for roads in that development area which will be made in order to sell land and give money to Government against the investment of 22 years ago. Now, Sir, our Assistant Engineer has been moved down to Calcutta to do some A. R. P. work and when I left Kalimpong the Superintendent of the development area told me that no one had been appointed in his place and that the road work was all held up. That is all I have got to say.

Mr. SHAH SYED GOLAM SARWAR HOSAINI: Sir, বাংলা সরকার নোয়াখালীর অধিবাসীদের উপর তাদের হেড্ কোয়ার্টারের ব্যাপারে বড়ই উদাসীন বা অবহেলার ভাব দেখিয়ে আসছেন। বহুদিন হ'তে নোয়াখালী জেলার লোক—আমার মনে হয় ৩০ বছরের কম হবে না—একটা হেড্ কোয়ার্টারের অভাব অনুভব কোরে আসছে। আমরা নোয়াখালী সহরকে একটা সহর বোলেই মনে ক'রতে পারি না। সেখানে খাওয়া দাওয়ার একটা ভাল হোটেল নাই, স্নানের বন্দোবস্ত নাই, বাড়ীঘর খুব বেশী নাই, পানীয় জলের বড় দুরবস্থা, আর পাইখানা প্রস্রাব বসাতে হ'লে আমাদের ভয়ানক বিপদের সম্মুখীন হ'তে হয়। এত বড় অসুবিধায় আমরা নোয়াখালীতে আছি। অনেক কাঁদাকাটির পরে বাংলা সরকার কমিটির পর কমিটি বসাতে আরম্ভ কোরে দিলেন। একবার কমিটি কোরে ঠিক হ'ল মাইজদিতে সহর হবে এবং অনেক টাকা খরচ হ'ল। এ সম্বন্ধে মিঃ মজিদ যা বলেছেন তা ঠিক। তারপরে জেলা-বাসী প্রবল প্রতিবাদ আরম্ভ ক'রলেন যে মাইজদিতে সহর ক'রলে জেলাবাসীর ভয়ঙ্কর অসুবিধা হবে, ব্যবসা-বাণিজ্যের অসুবিধা হবে, যাতায়াতের অসুবিধা হবে; এবং centre দেখেই জায়গা ঠিক করা উচিত। মাইজদিরও নদীতে ভাঙ্গিবার ভয় আছে। পূর্ত্ত বিভাগের ইঞ্জিনিয়ার তদন্ত করিয়া সাব্যস্ত করলেন মাইজদি নিরাপদ নয়, ৫ বৎসরের মধ্যে মাইজদির নদীতে পতন হবে। তারপরে চট্টগ্রাম বিভাগের কমিশনার মিঃ Durnor সভাপতিত্বে একটী কমিটি হ'ল নোয়াখালী টাউন কোথায় হবে? সেটাকে Durno Committee বলা হয়। আমার বন্ধু মিঃ মজিদ বোধ হয় সেই কমিটির সভ্যও ছিলেন; Barisal Rangeএর Deputy Inspector-General of Police, চট্টগ্রামের কমিশনার, নোয়াখালীর কালেক্টর, গভর্ণমেণ্টের আরও অন্যান্য officials এবং non-officials এবং নোয়াখালী জেলার লোক নিয়ে সেই কমিটী হ'ল। সেই কমিটীতে আমার মনে পড়ে মাত্র ২ জন বেগমগঞ্জে হওয়ার বিরুদ্ধে ভোট দেন, তা ছাড়া offical, non-official, European, সকলে একবাক্যে ভোট দিয়েছিলেন যে নোয়াখালী জেলার হেড্‌কোয়ার্টার্স বেগমগঞ্জে হওয়া উচিত। নোয়াখালীর ভৌগলিক পরিস্থিতি চিন্তা করলে এবং পূর্ব্ব-পশ্চিম-উত্তর-দক্ষিণ দিক বিবেচনা ক'রলে, ব্যবসা বাণিজ্যের কেন্দ্র হিসাবে

দেখলে, নদীর আক্রমণ থেকে রক্ষার বিষয় চিন্তা ক'রলে দেখা যায় বেগমগঞ্জই উপযুক্ত জায়গা। তারপর ভবিষ্যতে টাউনের বিস্তৃতি সম্পর্কে যদি জায়গার প্রয়োজন হয় তাহলেও বেগমগঞ্জ সমস্ত দিক দিয়ে ভাল এমন কি স্বাস্থ্যের দিক দিয়েও ভাল। Deputy Director of Public Healthও ব'লেছেন স্বাস্থ্যের দিক দিয়ে বেগমগঞ্জ ভাল জায়গা। উক্ত ডুর্ণে। কমিটী গভর্ণমেণ্টকে বিশেষভাবে অনুরোধ ক'রেছেন যে বেগমগঞ্জে নোয়াখালীর হেড্-কোয়ার্টার্স করা হউক, তারপরে বাংলা সরকার ৪০ লক্ষ টাকা সেজন্য ব্যবস্থা করেন। গত বাজেটে ৫ লক্ষ টাকা এবং তার আগের বাজেটেও ৫ লক্ষ টাকা সেজন্য রাখেন। তার পরে জমি acquire করার কাজ আরম্ভ হয়। কিন্তু এখন "ক'র্‌চি, ক'র্‌চি", "দিচ্চি, দিচ্চি"—গভর্ণমেণ্টের এই রকম ভাব দেখ্‌ছি। এখন সরকারের উদ্দেশ্য কি সেটা বুঝ্‌তে পারি না। আমার বন্ধু মিঃ মজিদ বলেছেন নোয়াখালী সহরের দক্ষিণ দিকে চর পড়েছে, আমি বলতে চাই যে এই চরকে মোটেই বিশ্বাস করা যায় না। এই ভাবের চর নোয়াখালীতে একবার নয়, দুবার নয় তিনবার পড়েছিল তিনবার ভেঙ্গেছিল তাই এ চরকে বিশ্বাস করা যায় না। ডুর্ণে। কমিটীর রিপোর্ট উপেক্ষা করা যায় না। মজিদ সাহেবকে জিজ্ঞাসা করি অন্ততঃ ২০ বছরের মধ্যে এই চরের উপর কি কোন ঘর করা যাবে? মোটেই না। ২০ বৎসরের ভিতরে যে জায়গায় একটা সহরের অধিবাসী ঘর কোরে থাক্‌তে পার্‌বে না সে জায়গায় জেলার হেড্‌কোয়ার্টার্স থাকা উচিত নয়।

আমি বাংলার পূর্ত্ত বিভাগের মন্ত্রীমহাশয়কে অনুরোধ করি যে ডুর্ণে। কমিটীর রিপোর্ট অনুযায়ী বেগমগঞ্জে টাউনের কাজ আরম্ভ করা উচিত। নোয়াখালী জেলা বন্যা-বিধ্বস্ত। এ সময় যদি টাউনের কাজ আরম্ভ হয় তাহলে relief workএর দ্বারা জেলার অনেক লোকের অন্নবস্ত্রের সংস্থান হবে। বেগমগঞ্জে আপত্তি উঠেছে যে, অনেক-গুলি মসজেদ, মন্দির, বাড়ীঘর ইত্যাদি acquireএর ভিতরে পড়েছে। কিন্তু উক্ত গ্রামের পার্শ্বেই বিস্তীর্ণ মাঠ রয়েছে। সরকার যদি সমস্ত বাড়ীঘর ও ধর্ম্মস্থানগুলো বাদ দিয়ে মাঠের জমি acquire করেন, তাহলে সেখানে কোন আপত্তি উঠ্‌তে পারে না।

আমি পুনরায় নোয়াখালী জেলাবাসীর পক্ষে মন্ত্রী মহোদয়ের এবং বাংলা সরকারের দৃষ্টি আকর্ষণ কর্‌চি যে অতি সত্বর বেগমগঞ্জে একটী আদর্শ সহর স্থাপিত কোরে তাঁরা আমাদের অনুগৃহীত ক'র্‌বেন, ও ধন্যবাদভাজন হবেন।

The Hon'ble Mr. M. SHAMSUDDIN AHMED: Sir, this department, Public Works Department as it was called, has been charged as "Public Waste Department". I can tell this House that so far as the acts of the officers of this department are concerned, I will be always ready personally to enquire into any acts of omission or commission by this department so long as I am in charge of it. I would ask my friends of either the Government Party or the Opposition to supply me with information of any kind of omission or commission by any officer of this department. More than this I am not in a position to say at the present moment.

Sir, my friend Mr. Abdul Majid has spoken about the selection of the Begumganj site. This is a question of the Revenue Department, but even then my friend the Hon'ble Mr. Pramatha Nath Banerjee in answer to a question has said that Government have come to a decision. Further than that I am not in a position to say anything.

Sir, my friend Mr. Morgan brought forward the question of appointment of the Special Officer. I may tell him that this question of the Special Officer was agitating Government for a very long time. It was tackled by my predecessor in office. But there were certain difficulties and after I assumed charge of this department this question of the Special Officer has been settled finally and His Excellency the Governor has given his consent. Therefore, the post of the Special Officer will be retained and he will continue in office, as arranged.

Now, Sir, as regards the road spoken about by Mr. Serajul Islam, I may tell him that some portion of the work was taken up and it has been made over to the District Board which has been asked to finish it.

As regards the Gumti Embankment and the road spoken about by my friend Mr. Datta, I may tell him that my special attention will be engaged over this embankment affair as well as the road affair. I will personally go and investigate the matters and try to expedite them as quickly as possible.

As regards the road mentioned by Dr. Sanyal, I may tell the House that at the present moment certain difficulties have arisen. I do not know if these difficulties will be increased to a very great extent in future, and it may be difficult to proceed with the works that are in hand. The House knows that, as regards the supply of tar and bitumen, bitumen is supplied from outside India and tar is supplied from inside. But even then the Government of India is controlling the supply of tar and bitumen. I am very much thankful to my friend Dr. Sanyal that he has proposed that Government should take into consideration a planned scheme of road-making. I will tell Dr. Sanyal just now what I have in contemplation. But so far as road construction is concerned, I do not know how Government will solve that difficulty. Of course we have got materials, such as stone chips, cement, sand and bricks inside India and with these materials roads can be built on a tolerable measure and they might meet the requirements of our country. This matter is under the consideration of the engineers of my department and I hope to go into the matter thoroughly and as quickly as possible. Even if tar and bitumen are not available, with the limited staff that we have got at our command, the work of construction and repair might go on as far as possible.

Sir, I may also refer to the House that roads have been built in districts by District Boards and there is no inter-connected system of roads up to the present day and I find that no definite policy in the

matter of inter-district communication has been followed up till now. But I may tell the House how the administration was run from the very beginning. From the very early stage of British administration in this Province, public roads have been classified under two heads, namely, District roads and Provincial roads.

The construction and maintenance of district roads was financed from what was then called the amalgamated district fund which consisted of (1) ferry tolls, (2) road tolls, (3) one per cent. of revenue of Khasmahal, and (4) provincial grants. This arrangement continued till the enactment of the Road Cess Act of 1871. Henceforth the administration of the district roads passed to the District Road Cess Committee.

The Provincial roads have all along been the concern of Government and their cost of construction and maintenance has been a direct charge on the provincial revenues. While introducing the Cess Act in 1875 Government declared that the main lines of arterial communication whether by land or water would be maintained by Government. But they announced at the same time that Provincial funds would no longer be available for maintenance of district roads which must rely on all taxes and tolls raised locally in each district. The tolls on roads were abolished with the enactment of the Cess Act of 1877 when allocation of the proceeds of ferries to District Road Fund was also no longer considered necessary. The public ferries, therefore, were resumed by Government. The administration of district roads in these conditions under the Road Cess Committee continued till they were replaced by the District Boards created under the Local Self-Government Act of 1885.

In 1913-14 the entire Public Works Cess revenue was made over to the District Boards on the recommendation of the Royal Commission on Decentralisation. In 1927 Government, in order further to augment the resources of the District Boards, decided to make over all public ferries to those Boards. In spite of all these efforts on the part of Government to free District Boards from financial difficulties in intensifying their road activities, the increasing demands for improved communication could not be met by the Boards.

In 1932 the Bengal Motor Vehicles Tax Act was passed to provide for more funds to the District Boards and Municipalities for improving, maintaining and constructing roads in the province. About 65 lakhs of rupees have been distributed among the local bodies since the commencement of the war.

A new epoch in the road activity of the province was ushered in by the inauguration of the Central Road Fund in 1930. Although the subvention received from the Road Fund cannot be considered adequate

for meeting the immense deficiency of road needs of the province it cannot be denied that it has greatly stimulated road and bridge construction in the province.

Bengal is sorely in need of systematised and inter-connected roads. In order, therefore, to evolve an orderly road system Mr. A. J. King was appointed Special Officer to survey and study the road needs of the province and to submit recommendations to Government. Mr. King's report was available to Government in the middle of 1939. Since then Government in constructing roads have pursued a policy the main points of which are that the projects should be spread over as many districts as possible and that the roads undertaken for construction should be such that they may be ultimately linked up into a system serving inter-district and provincial and not merely local needs. Most of the roads undertaken by Government on this principle belong to the District Boards and it has been decided by Government that all trunk and inter-district roads constructed or reconstructed from the Central Road Fund will be maintained by Government thereby relieving the District Boards from the responsibility of maintaining these roads and enabling them to devote more money on roads of district importance.

Now, Sir, it is known to the House that there was a large accumulation of the Bengal share of allocation out of the subvention from the Central Road Fund. I am glad to announce that the balance will be entirely wiped out by the drawal of Rs. 30 lakhs next year. The total provision for Road Fund works asked for in the budget for 1942-43 is Rs. 41,15,000 including Rs 40,000 for establishment charges. The accumulated balance of Rs. 30 lakhs up to the end of the year 1942-43 will be completely spent in that year and the balance of Rs. 10 lakhs will have to be found from the proceeds of the Bengal Motor Spirits Sales Tax.

I beg to mention, Sir, in this connection that on account of the outbreak of hostilities with Japan, a good number of Road rollers and other road-making implements have been requisitioned from the Department by the Government of India. Steel, which is required for bridging, has been controlled since August, 1941, and tar and bitumen also have been controlled very recently. All these will certainly affect adversely the surfacing and bridging work in respect of our Road Board projects. We are prepared to meet this situation however (1) by changing the surface specification in some cases, where practicable; (2) by taking up earthwork and other preliminary works in respect of the large number of projects which have been sactioned but which would not have been otherwise taken up; (3) by pushing on preliminary survey work in respect of the projects approved by the Provincial Board of Communications and awaiting Government of

India's sanction and also by pushing on land acquisition work; and (4) by construction of the necessary number of small arch masonry culverts.

The budget estimate for the next year excludes the estimated expenditure on A. R. P. works which is debited directly to the head "68—Extraordinary charges in India—Expenditure on A. R. P., etc." The various works under this head carried out by this department are as follows:—(1) Construction of Baffle-walls, (2) protection of essential buildings and emergency hospitals, (3) fire-stations, (4) first-aid posts, (5) warden's posts, (6) control room, (7) shelters, (8) miscellaneous, (9) Dum Dum fire training school, (10) A. R. P. Depot, (11) protection of educational institutions, and (12) provision of anti-incendiary bomb equipments to Government buildings. The additional establishment charges to be incurred by the department to supplement the normal staff to cope with the increased works on account of the A. R. P. are Rs. 1,10,000 for the year 1942-43, and as against this the estimated expenditure on A. R. P. during the year is Rs. 37,00,000. During the current year an expenditure of Rs. 16,00,000 has been incurred with an additional establishment worth Rs. 78,000. The establishment charges being less than even 5 per cent. of the works expenditure, it will be clear to the House that the staff of the department is now working under very high pressure. Normally the percentage is found about 13.

Criticism is often made of this department as a wasting department. The House should not forget the large responsibility which rests on this department in providing suitable accommodation for Government offices and officers, schools, colleges and hospitals and many other similar important public institutions, and for providing roads for communications mostly motorable, the need for which is more than justified now on account of military developments practically over the whole of the province. I am sure, Sir, that when I explain to the House the method in which works are carried out by this department they will realise that this is not a wasting department. The rates at which estimates for the works are framed are generally the scheduled rates which are by no means extravagant as they compare favourably with the District Boards' rates and are revised, reduced or increased as and when necessary. Competitive tenders on the basis of these estimates are then called for and there being now a classified list of contractors in the department the rates tendered by the contractors are not expected to be fictitious. The lowest amongst the tenderers is then given the work and extra rates in course of the execution of works are not allowed except under extraordinary circumstances. While the works are in progress they are supervised constantly by a series of officers up to the Superintending Engineers and even by the Chief Engineer himself, if required so that there should not be any chance

of the contractor in charge of the work attempting to lower the specifications of the work, according to the standard of this department. What I promise is that I shall investigate personally any cases of acts of omission and commission which the officers of this department are charged with.

Sir, I have finished. I may tell this House that as I have already stated, so far as village roads and district committees are concerned, I am in entire agreement with my friend Dr. Sanyal (Cries of "Hear, hear" from the Congress Opposition benches) that a road system in this province is absolutely essential, so that on the basis of that the irrigation projects which are in our contemplation may not be interferred with and the province of Bengal may have, as in other civilised countries, as comprehensive a road system throughout the province as will make the people of Bengal happy.

The motion of Maulvi Mirza Abdul Hafiz that the demand of Rs. 1,43,64,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 1,43,64,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Serajul Islam that the demand of Rs. 1,43,64,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 1,43,64,000 for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue" be reduced by Rs. 100, was then put and lost.

The main motion of the Hon'ble Mr. M. Shamsuddin Ahmed that a sum of Rs. 1,43,64,000 be granted for expenditure under the heads "50—Civil Works" and "81—Civil Works not charged to Revenue", was then put and agreed to.

Adjournment.

The House was then adjourned at 11-40 a.m. till 8-30 a.m. on Monday, the 16th March, 1942, at the Assembly House, Calcutta.

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